California Journal

THE MONTHLY REPORT OF STATE GOVERNMENT AND POLITICS

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Reagan, Moscone on State of State

Analysis of the $9 Billion Budget

February 1973

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Notes and Comment

The calm before . . .

Although the five-way Democratic race for nomination for Governor in 1974 is already underway, that party's central committee nonetheless conducted its biennial business with remarkable harmony on January 27th and 28th. Apparently heeding the exhortation of U.S. Senator John Tunney that they not be "misled or stampeded" by the magnitude of the McGovern defeat, they gave the central committee chairmanship to Assemblyman John Burton, who was cochairman of the state's McGovern slate at last summer's Democratic National Convention. Whatever the reasons for Burton's easy victory over attorney John Merlo of Chico, it was surely a testimonial to the outgoing chairman, Charles Manatt, whose energetic fund-raising and voter-registration efforts were hailed as having restored a measure of stability that has been absent from the party in recent years. According to some, Burton became more acceptable as state chairman once Manatt agreed to accept the southern California chairmanship and to work closely with Burton under a relationship still to be spelled out. "It was some comfort to many who were a little worried about Johnny," one observer close to Burton commented, "that Manatt would stay on as southern chairman."

On a more fundamental level, however, Burton's victory over Merlo was a victory of the professional politician over the "natural", or amateur politician, and a reminder of the elected office-holder's clout in determining party leadership. Last fall, it should be remembered, members of the party's executive committee, all "naturals", decreed that henceforth no elected official could hold a party job. It was a ruling that Burton, who was the only elected official openly seeking a party job, naturally viewed as aimed at him (though Manatt was at some pains to deny this at the time). When it came to a test, however, Burton chose to ignore the rule, as did a majority of the other central committee members.

Burton, who described himself as a "blue-collar liberal" with "hardhat support", quickly cast himself in the unlikely role of unity symbol. "I had support here from delegates who were for Humphrey, for Scoop Jackson, and even for Yorty," he boasted. There is reason to believe that Mayor Alioto is not overjoyed with Burton's election to the party chairman job, but neither would concede that Burton's election prejudged the outcome of the campaign for the gubernatorial nomination. The next night, alluding to the party's stable of at least five candidates for the nomination in making the chairman's customary vow to strive for party unity, Burton remarked, "We don't know who the jockey will be, but the winning horse will be Democratic."

The 17 policy resolutions adopted by the Democratic Central Committee on Sunday were notable for their relative absence of controversy. The most topical, if unsurprising, resolution urged Governor Reagan to withdraw his nomination of Appellate Court Justice William Clark Jr. to the state Supreme Court bench. More typical was one calling on the federal government to give Indians a better deal in settling land claims. The delegates did, however, change the party's method of selecting national committeemen, removing the winner-take-all privilege of the successful presidential candidate, taking for themselves the right to apportion delegates among the primary candidates on the basis of election returns. And they decided to abolish the traditional smoke-filled room by banning smoking "from all indoor areas where persons congregate with respect to official activities of the State Central Committee." As one supporter of the resolution explained, "I don't mind the inhaling. It's the damn exhaling I can't stand."

Learning the ropes

To help the newly elected Assemblymen and Senators to learn their new jobs, the Joint Committee on Rules tried something new this year, tapping federal funds through the Intergovernmental Personnel Act of 1970 to do so. The new legislators were given a 15-hour orientation in the capitol, and it was just for the legislators themselves — no staff, no press, and only a few veteran legislators. Those colleagues who did come were in the program. Assemblyman Gordon Duffy, Ken Cory, Jack Fenton, and Richard Hayden, for example, staged a free-wheeling mock session in the Assembly chamber to demonstrate the lower house's floor rules and practices. They gave the newcomers practical advice on how to round up needed votes, maneuver their legislation to the floor, and stall a vote when necessary. Not the least of the lessons, reportedly, was how to go calling on the Senate, a notoriously delicate task. The answer: use the back door. Surprisingly, there was no mention of having to shuffle and carry one's hat in hand. Some things, maybe, you just have to learn by doing.

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"A Press Club First!" proclaimed the flyer from the Sacramento Press Club announcing its February 13th speaker, Governor Ronald Reagan. But while the occasion will mark the Governor's first appearance before the club's membership of journalists and public relations people, the enthusiasm, apparently, stems from the fact that the Governor agreed to speak off the record. "This is a unique format for both the Governor and our club," the announcement explains. "We have never encouraged nor permitted off-the-record talks or discussion at meetings, nor has the Governor accepted such an invitation. . . . Incidentally, in view of this, President Bill Stall [AP political writer] has requested no tape-recorders or notebooks."

Asked about the "unique format", Stall conceded the possible irony of journalists encouraging not-for-attribution remarks but added, "If he should say something that needs to be reported, I think that it would get reported." H.E.K.

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California Journal

Volume IV, Number 2
February 1973

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California Journal is published by the California Center for Research and Education in Government, a nonprofit, tax-exempt corporation. Publication is assisted by grants from the Ford Foundation, the Michael J. Connell Foundation and the Norton Simon Foundation.

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Governor Reagan Asks $9 Billion for 1973-74; Legislators Must Decide What to Do with $1.1 Billion Surplus

By JEROME EVANS

The 1973-74 budget which Governor Ronald Reagan unveiled in mid-January calls for a spending total just short of $9 billion ($9.3 billion if bond fund expenditures are included), and prompted one conservative member of the Governor's party to observe that the man who has pledged to "cut, squeeze, and trim" has managed to double the state budget in six years. The proposed new budget is up nearly 22 percent over estimated expenditures for the current year, but the increase is somewhat deceptive, for the Governor proposes no major new programs. Over 70 percent of the increase is a result of the school finance and tax relief provisions of SB 90 of 1972. Most of the remainder provides for a salary increase for state employees, rising Medi-Cal costs, and projected enrollment growth at the University of California and California State University and Colleges. Excluding the school finance and tax relief provisions of SB 90 and the salary increases, the budget increase is only $212 million, or 2.9 percent.

The Legislature, of course, will examine the Governor's proposed spending plan with some care in the budget hearings (which began January 22nd), but the matter of principal interest will be the large surplus which the Governor's figures show: $851.8 million on June 30th of this year and $1.1 billion on June 30, 1974. This will be no easy matter to resolve, not only because of the political implications of each of the ways in which it may be handled, but also because the state must wait to see what the federal government will do in several areas — welfare funding and education aid in particular — before it will know how large the surplus actually will be at the end of June.

ESTIMATED STATE REVENUES
(IN MILLIONS)

	1972-73	1973-74	Percent of Total
General Fund Revenues:			
Sales and use taxes	$2,262.0	$3,000.0	33.5%
Personal income	1,995.0	2,175.0	24.3
Bank and corporation	815.0	995.0	11.1
Inheritance and gift	284.8	311.3	3.5
Insurance	189.0	202.6	2.3
Cigarettes	176.1	178.5	2.0
Alcoholic beverages	123.4	127.0	1.4
Horseracing	63.0	63.0	0.7
All other sources	202.7	205.3	2.3
Total, General Fund	$6,111.0	$7,257.8	81.1%
Special Funds:			
Motor vehicle fees:			
Fuels	$ 759.1	$ 798.2	8.9%
Registration, weight, etc.	307.1	321.9	3.6
License fees	280.7	297.6	3.3
Transportation	31.0	0.8	—
Cigarettes	75.4	76.5	0.9
Alcoholic beverages	14.1	13.5	0.2
Horseracing	8.9	12.2	0.1
All other sources	217.4	170.4	1.9
Total, special funds	$1,693.8	$1,691.0	18.9%
Total Revenues	**$7,804.8**	**$8,948.8**	**100.0%**

Revenues

Ordinarily, the size of the annual state budget is determined largely by the revenue estimates for the coming year. "The whole budget hinges on what the revenues will be," Director of Finance Verne Orr told reporters in this year's budget briefing. But this is not an ordinary year (if there ever was one), and Orr's comment seemed to be a carryover from the past rather than a description of the present budget. A budget which leaves a surplus of $1.1 billion cannot be said to have been shaped to any great extent by revenue forecasts.

Nevertheless, the revenue estimates are important, if only in relation to the size of the estimated year-end surplus. State revenues are expected to total $8.9 billion in 1973-74, up $1.1 billion, or 14.6 percent from this year. Revenue to the General Fund is estimated at $7.3 billion, an increase of 18.8 percent from the current year. Special fund revenues are expected to total $1.7 billion, $2.7 million less than this year, largely because of the repeal last year of the motor vehicle transportation tax. The large jump in the General Fund revenues forecast is due in greater part to the passage last November of SB 90, which will provide an estimated $673 million in tax revenues in 1973-74. The balance of the increase, $525 million (8.6 percent), is to come from existing taxes and reflects the general economic expansion in California and across the country.

When the revenue estimates for 1973-74 were made, the principal assumptions were: (1) Phase II of the federal wage and price controls would continue; (2) monetary policy would be directed at achieving a six to seven percent growth rate; (3) the Nixon administration would hold to a $250 billion budget this year; (4) there would be no major labor disputes; (5) there would be no major international crisis; and (6) the end of US participation in the war in Vietnam would have no major impact on California. The first of these assumptions turned out to be wrong before the budget could be printed, but state revenue experts don't know yet what the impact of Phase III will be. "It could go either way," Verne Orr told the Senate Finance Committee, "up, if there is inflation; down if there are widespread strikes to raise wages."

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For California, Department of Finance officials predict that the economic gains of 1972 will carry through 1973. Civilian employment is expected to rise by 2.8 percent, with the strongest gains in the service and trade fields. There will be a "moderate" expansion in the aerospace industry, they believe, and a "notable" increase in other durable goods manufacturing. Federal government employment is expected to decline slightly, but local government and expenditures are expected to rise. Unemployment is expected to fall to an average of 5.4 percent (as compared with 5.9 percent in 1972), and personal income will rise by 9.1 percent. There is also expected to be a sharp increase in income from transfer payments, primarily as a result of the recent 20 percent increase in social security benefits. As a result of these additions to income, taxable sales are forecast to go up 11.8 percent in 1973 and 6.6 percent in 1974.

Salaries

Late in December of 1971, as the California State Employees Association was launching its unsuccessful effort to take salary increase funding authority away from the Governor by way of Proposition 15 (defeated in the 1972 General election), Reagan announced the first step in a two-step program to raise state salaries to match salaries paid employees in private industry and local government. When the 1972-73 Budget Act was finally signed in June, it provided $164 million, enough for a five percent increase for civil service and nonacademic higher education jobs, a 7.5 percent increase for UC and CSUC faculty, plus an inequity fund of 3.4 percent for civil servants and about two percent for UC and CSUC employees. This was expected to make up for the absence of a cost-of-living increase in 1971 and cover at least half the increase required in 1972 to match nonstate pay. (The Governor vetoed $46.6 million added by the Legislature to bring state salaries up to the levels then recommended by the State Personnel Board.)

The increases granted in 1972 were approved by the Federal Pay Board under Phase II of President Nixon's wage and price controls, except that the board trimmed the civil service increase by one percent. That cut, which amounted to $4.1 million, was restored last month on the Governor's recommendation shortly after the pay board's controls were ended by the President.

In his budget for 1973-74, Reagan has provided the second step of the promised increase at a toal cost of $254.5 million. This amount will cover the cost of an average 14.3 percent increase for civil service employees paid out of the General Fund, 12.9 percent for employees paid from special funds, and 10.6 percent for those paid from other sources — for an overall average increase of 12.9 percent. It will also provide for an average 5.4 percent increase for UC faculty, a 7.5 percent increase for CSUC faculty, and a 12.1 increase for UC and CSUC nonacademic employees.

In addition, the state will provide a 3.5 percent salary increase for judges. The increases proposed for civil service, UC, and CSUC employees match the recommendation of the State Personnel Board, the Regents, and the CSUC Trustees, and will be allocated according to their determinations of need.

The 1973-74 budget provides a total of $2.4 billion for the public schools, from kindergarten through the community colleges. This is an increase of $575 million, or 31 percent, over the current year, the largest increase in memory. Of this amount, $561 million was provided in SB 90, the tax relief-school finance measure passed at the end of the 1972 session. SB 90 provided $220 million for increased school spending for general educational expense, $82 million for programs for the educationally disadvantaged, $25 million to start the new early childhood program, and $234 million to permit a corresponding reduction in the local share of school costs.

Other items of increase are $17 million for the strengthening or construction of earthquake-safe schools and $9 million for elementary textbooks. Only $14 million is provided for enrollment growth and inflation, largely because very little enrollment growth is expected. The budget figures for average daily attendance are:

	Actual 1971-72	Estimated 1972-73	Budgeted 1973-74
Elementary	3,221,329	3,176,300	3,133,400
High School	1,407,782	1,430,000	1,453,500
Community college	454,259	487,900	411,500
Adult	155,178	161,000	167,300
	5,238,548	5,255,200	5,265,700

For the first time in many years, the estimated enrollment in the elementary grades shows a slight decline for the current and budget years, reflecting the fact that the schools have not met enrollment projections for the past two years, and many districts are reporting significant drops in the number of pupils in the lower grades.

Although the slowdown in growth reaches into the community college grades, community college officials are far from pleased with the level of funding they now receive from the state and will push for a substantial increase. The community colleges were not included in SB 90 but would have received an estimated $43 million from SB 95 (Alquist), which was passed by the Legislature but vetoed by the Governor. Department of Finance officials said that because of interactions with SB 90, the community college increase might have cost

TOTAL STATE EXPENDITURES BY FUNCTION

(IN MILLIONS)

	Actual 1971-72	Estimated 1972-73	Budgeted 1973-74
Legislature	$ 32.5	$ 37.7	$ 38.6
Judiciary	23.1	25.6	26.2
Executive	3.9	4.8	6.5
Fiscal Management	39.6	44.8	46.3
Law Enforcement and Related	35.8	49.1	57.0
Corrections	182.2	208.1	213.2
Agriculture	29.2	38.8	42.6
Consumer Affairs	12.1	17.0	11.8
Business & Utilities	37.5	40.9	43.8
Transportation	671.7	800.3	775.0
Resources	117.8	180.0	189.3
Welfare	751.4	786.1	818.0
Health[1]	355.3	429.6	461.0
Medi-Cal	503.6	593.7	667.7
Education	1,651.2	1,893.0	2,488.7
Higher Education	694.4	858.7	915.8
Employment	10.1	13.0	15.3
General Administration	.2	—	.1
Debt Service	115.4	115.7	122.3
Tax Relief	361.6	448.8	979.3
Shared Revenue	677.2	700.6	736.7
Misc. and Unallocated	68.6	104.6	334.6[2]
Totals	$6,374.4	$7,390.9	$8,989.9

[1] Includes mental health.
[2] Includes $226 million in salary increase funds.

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the state as much as $111 million, a good deal more than the administration had agreed to. Reportedly, the administration is willing now to raise community college support by $50 million in 1973-74, but community college officials want $70-$90 million.

UC President Charles Hitch continues to be unhappy with state funding for the University. State support for UC is budgeted at $398.9 million, an increase of $14.1 million over the current year, plus $30.7 million for salary increases. Excluding the salary increase funds, state support will increase by only 4 percent, equal to the percentage increase in enrollment expected by the university (a figure about which the Department of Finance is openly skeptical). Although the University is free to spend its money pretty much as it pleases, the Reagan administration says it hopes that $1.5 million will go for the new Extended University and that $1 million will be available to pay for an as yet unspecified program to give teaching equal emphasis with research at the University. While Hitch is pleased with the salary increase funds, which are what the Regents asked for, the rest of the budget, he said, is "so minimal, so inadequate, so lacking in appreciation of the university's role that I am greatly disappointed."

Administration officials, it is evident, are not all chagrined by the fact that state support for the California State University and Colleges will exceed state support for the University of California in 1973-74 for the first time. Nor is CSUC Chancellor Glenn Dumke. "I am pleased that several aspects of the proposed budget would enhance the function of our 19 campuses as institutions dedicated to quality teaching," he said, following publication of the new budget figures. Noting that several programs recommended by the Trustees were not funded in the Governor's Budget, Dumke nevertheless concluded that CSUC campuses "will be in a considerably sounder position than in recent years."

Tax relief

State expenditures for local property tax relief have risen from $256 million three years ago to over $1 billion for the 1973-74 budget year, and are easily the fastest-growing item in the state budget. The budgeted cost, which includes the increases authorized in SB 90, last session's tax and school finance package, covers four programs (in million):

	1971-72	1972-73	1973-74
Senior citizens	$ 8.3	$ 60.0	$ 62.0
Business inventories	121.7	133.0	208.0
Homeowners	231.6	242.8	647.3
Renters:			
Refunds	—	—	40.0
Reduced revenues	—	—	(70.0)
Totals	361.6	$453.8	$957.3 ($1027.3)

The increase in business-inventory tax relief reflects the provision in SB 90 increasing the exemption from 30 percent to 45 percent (and up to 50 percent for 1974-75 and thereafter). SB 90 also raised the homeowners' property tax deduction from $750 to $1750 of assessed valuation and extended the exemption to owner-occupied multiple-dwelling units and gave renters an income tax credit of from $25 to $45, depending on their gross income. At the time SB 90 was under consideration, it was estimated that the increased cost of the homeowners' deduction would be $378 million in 1973-74. Interestingly, however, property taxes have not gone up in the past year as expected, producing a

The Surp

As Verne Orr, the state's Director of Finance, stood before reporters giving them a preview briefing on the Governor's Budget for 1973-74, he was obviously enjoying the fact that the new $9 billion budget appeared to offer something for everyone and that his only real problem was to figure out how to get rid of an $852 million surplus this year and a $1.1 billion surplus next year. Orr. who has seen the state through some financial hard times over the past four years, deserved whatever pleasure he could draw from this new situation. but it will probably be short-lived. The question of what is to be done with the unexpectedly large surplus promises to become one of the major issues of the new legislative session. Before the session was more than a few weeks old. in fact. Republicans and Democrats alike were scrambling to take up positions in what seems likely to be a long, drawn out fight.

As recently as a year ago, Legislative Analyst A. Alan Post told the Senate Finance Committee at its opening budget hearing, it was estimated that the budget surplus on June 30, 1973, would be no more than $158 million. This estimate was made just after the Legislature had passed AB 1, the "mini-tax" package which provided an estimated $340 million for 1972-73 spending, largely through income tax withholding. Since then, the 1972-73 surplus has grown from $178 million to $852 million, Post said, because the upturn in the economy has raised state revenues by $362 million more than expected, General Fund expenditures are $119 million less than anticipated, and federal revenue sharing has given the state $231 million that was not earmarked for expenditure last year. The savings, said Post, were almost evenly divided between 1971-72 and 1972-73. In 1971-72, public school costs were $34 million less than estimated a year ago, social welfare costs were down $32 million, and mental hygiene expenditures were down $30 million. In the current year, there have been net savings of $6 million since last January (savings of $71 million for schools and $97 million for welfare and Medi-Cal, offset by increased costs in other areas).

Some headaches

Perhaps the most difficult thing to understand about this sudden switch from rags to riches is that it was known in November when SB 90 was being considered that this year's surplus would reach or surpass $700 million. That measure, which is already beginning to cause the headaches that many of its opponents (mainly in the Senate) warned of, now seems to have been one of the least carefully considered pieces of major legislation to have been passed by the Legislature (at the Governor's urging) in many years. Not only did it raise taxes well beyond what was needed to balance the budget for several years to come, it has created serious problems for both state and local government, and will not provide the kind of property tax relief for many homeowners that was promised.

In any case, the state now finds itself with a surplus of $852 million on June 30, 1973, and $1.1 billion 12

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ere it Came From and What Can Be Done With It

months later. The principal reason why the surplus will continue to grow in the absence of any steps to reduce it is that current revenues in 1973-74 are now expected to grow faster than current expenditures — by as much as $267 million, in fact. This difference, according to the Legislative Analyst, is due not only to a continued rise in revenues that was not anticipated a year ago ($130 million), but also to additional savings in budgeted expenditures, primarily for welfare ($69 million), schools ($77 million), property-tax relief ($42 million), and debt-service costs ($28 million).

There are several things that can be done with the surplus: (1) it can be allocated to the public schools to comply with the *Serrano* decision (estimated current cost: an additional $500 million per year); (2) it can be given back to the taxpayers in the form of tax rebates; (3) some of it can be left with the taxpayers by postponing the sales tax increase that is to go into effect June 1st of this year and the corporate franchise tax increase scheduled for July 1st; (4) it can be spent to buy up several new state bond issues and thus to avoid the costs of further borrowing; and (5) it can be held in the treasury awaiting the lean years that are sure to come again.

For several months prior to his budget message, Governor Reagan had been saying that the year-end surplus should be returned to the taxpayers in the form of an income tax rebate, and he reiterated this promise in his message. "It would indeed be foolish to initiate vast new programs or levels of expenditures higher than absolutely necessary," Reagan said, "simply because for a short period in the span of government we have an operating surplus. Government should never take from the people more than absolutely necessary. Our surplus at the end of the current year will be larger than necessary to meet contingencies. I shall therefore propose a program which will return to the taxpayers substantially all of the excess."

'Nothing Here . . . I Guess Nobody's Ever Seen One Before'

'Seven lean years'

Democratic leaders in the Legislature have made no secret of their opposition to this idea, whether because they think the money should be allocated to the schools and other programs or because they would like to see as much of the surplus as possible carried over into 1975 and beyond when they hope to see a Democrat occupying the Governor's office. Assembly Speaker Bob Moretti has said that he favors delaying imposition of the one-cent sales tax increase from June 1st to January 1, 1974, a step that would reduce the 1973-74 surplus by approximately $368 million. "These new budget surplus figures suggest we can forego the sales tax increase embodied in the state's new tax program and still end the next fiscal year with a surplus," Moretti told reporters shortly after the Governor's Budget had been released. "The 1973 Legislature must weigh the advantages of providing such a tax savings against the need to use perhaps a portion of the surplus to respond to the *Serrano vs. Priest* school finance mandate of the State Supreme Court." Meanwhile, Assemblyman Kenneth Cory had already introduced a bill to move the sales tax increase back to January 1, 1974, and shortly afterward 10 Senators coauthored a bill in the upper house to move it back to July 1, 1975.

When the Senate Finance Committee began its budget hearings on January 22nd, chairman Randolph Collier made it clear that he also was opposed to a hasty tax rebate which might wipe out the surplus altogether, referring repeatedly to the prospect of "seven lean years" following "seven fat years", and the need to keep a "rainy day fund" against hard times to come. The Senators were nevertheless more than a little interested in Alan Post's recommendation that some portion of the surplus be used to buy up the new bond issues approved by the voters in November. At the moment, said Post, there are $850.9 million in unsold general obligation bonds. It would take less than that — $769.2 million — to meet the cost, assuming a 5 percent return on the investment of reserve funds, and by taking this step the state would save $446.7 million in interest costs, Post explained.

The idea was picked up quickly by Senate Majority Leader George Moscone and Assemblyman Leo T. McCarthy, who said they would introduce bills to carry out Post's recommendation. Speaking for the administration, Verne Orr first said he had "deep reservations" about Post's plan but later said he thought it had "real merit" and would be considered by the administration as one way of disposing of the surplus. The message may not have got through to Treasurer Ivy Baker Priest, however, for on January 30th she announced that the state had just sold $30 million of the new bonds to a syndicate headed by the Bank of America.

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savings in tax relief payments of $45 million this year. If local tax rates have stopped rising, and the tax ceilings established in SB 90 are supposed to have that effect, then actual expenditures for property tax relief may continue to be significantly less than the amount budgeted.

The figure of $40 million for renters' tax relief covers only the cost of refunds for taxes withheld for renters who are eligible for the state income tax credit of $25 to $45 provided in SB 90. It is estimated that an additional $70 million will be provided by way of lower income tax payments by renters. Thus, the total costs for tax relief for 1973-74 will actually be $1,027.3 million.

Welfare and Medi-Cal

Welfare payments to eligible recipients and the costs of service and regulatory programs are expected to increase by $160 million in 1973-74, amounting to a total of $2.1 billion, of which the state's share is to be $805.5 million, up $52.3 million from the current year. In addition, the state will pay $11.6 million for administration of the State Department of Social Welfare, and $48.3 million as its share (25 percent) of county administrative costs. SB 90 of 1972 increased by $2 per month grants to adult aid recipients and AFDC recipients. Payments to adult categories will be further affected by implementation of HR 1, the federal legislation shifting this responsibility to the Social Security Administration. The administration now believes that HR 1 could cost the state an additional $175 million to $300 million, depending on how the law is interpreted by the new Secretary of Health, Education and Welfare.

Public assistance payments are expected to go up by $160 million (the state's share is about one-third), or about 7 percent, in the budget year, after a drop of $8.4 million between 1971-72 and 1972-73. The reduction in costs this year is attributed by the administration to caseload reductions effected by the 1971 Welfare Reform Act (see *California Journal*, December 1972, p. 352), and by others to improved economic conditions and other factors, but state welfare officials say now that the total caseload may be expected to stop falling sometime this year and begun rising again at about 9 percent per year.

The 1973-74 budget provides $667 million in state funds for Medi-Cal benefits for welfare recipients and others classified as "medically indigent". This is $74 million more than is expected to be spent this year, the increase being attributed to the rising costs of medical services and the extension of benefits to medically indigent persons who are not welfare recipients and who were formally a county responsibility. According to Dr. Earl W. Brian Jr., Reagan's Secretary for Health and Welfare, the state will rely increasingly upon prepaid health plans (PHP) as delivery systems for Medi-Cal benefits. As of December 1972, the Department of Health had entered into 24 PHP contracts covering 444,000 Medical beneficiaries.

TOTAL BUDGETED EXPENDITURES AND SOURCES OF FUNDING
(IN MILLIONS)

	Actual 1971-72	Estimated 1972-73	Proposed 1973-74	Change from 1971-72 Amount	Change from 1971-72 Percent
State Operations					
General Fund	$1,419.0	$1,653.5	$1,796.3	$ 142.8	8.6%
Special Funds	398.4	461.7	540.4	78.7	17.0
Local Assistance					
General Fund	3,474.3	3,993.7	5,335.6	1,341.9	33.6
Special Funds	727.3	787.0	822.2	35.2	4.5
Capital Outlay					
General Fund	134.0	18.3	13.7	-4.6	-25.1
Special Funds	221.3	476.6	481.6	5.0	1.0
Totals					
General Fund	5,027.3	5,665.5[1]	7,145.7[2]	1,480.2	26.1
Special Funds	1,347.1	1,725.4	1,844.2	118.8	6.9
Total, General and Special Funds	**$6,374.4**	**$7,390.9**	**$8,989.9**	**$1,599.0**	**21.6%**
Bond Funds					
State Operations	$ 3.3	$ 5.6	$ 3.3	$ -2.3	-41.1%
Local Assistance	21.4	29.5	36.2	6.7	36.6
Capital Outlay	284.7	259.4	229.5	-29.9	-11.5
Total	$ 309.4	$ 294.5	$ 268.9	$ 25.6	8.7%

[1] Excludes $2.3 million for Legislation not in budget totals.
[2] Excludes $5.4 million for Legislation not in budget totals.

Health

Three major state departments — Health Care Services (Medi-Cal), Public Health, and Mental Hygiene — will be consolidated within a single Department of Health, effective July 1, 1973. The reorganization will bring together all the major elements of the state's health programs and will also incorporate state administration of social services now provided by the Department of Social Welfare. The new budget reflects this change, showing an expenditure of some $1.1 billion from the state's General Fund for health programs, of which all but $57.6 million is to be spent as local assistance. The total includes Medi-Cal payments, public health programs, operation of the remaining state mental hospitals, support for community mental health facilities, and related programs. More than $2.5 billion will be spent for these purposes from all sources — state, federal, and local.

The shift of mental health treatment from state hospitals to community mental health programs is to continue, although the Governor's Budget is singularly uninformative as to how far this transfer is to be carried in 1973-74. The budget shows a figure of $186.5 million in local assistance for mental health services, which appears to correspond to the amount of $180.8 million in 1971-72 and $218.2 million in 1972-73 for assistance to local agencies for mental health services. If these figures are for the same purpose, it appears that the counties are going to get less money next year than this year to operate local mental health facilities and programs.

Resources

"California has been a leader in the fight against air and water pollution," said the Governor in his budget message. "This budget continues our strong efforts in both fields." That is, there are to be no major rise in spending for resources or environment protection in 1973-74. The total resources budget for 1973-74 is $189.3 million, up $9.4 million from the current year, not including expenditures from bond funds for capital outlay. Perhaps the most significant addition is $315,000 for the Solid Waste Management Board, established by the Legislature last year to formulate and adopt by January 1, 1975, a statewide program for solid waste management and resources recovery. Several other

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agencies are to receive somewhat less than they are spending in the current year, including the Air Resources Board, which is responsible for the statewide fight against air pollution, the Department of Conservation, which is responsible for protecting California's natural resources, the Department of Navigation and Ocean Development, and the Department of Water Resources.

The Departments of Fish and Game and Parks and Recreation are to receive budget augmentations. Fish and Game will spend an additional $2.8 million, primarily for enforcement of laws and regulations and for fish and game management activities. The increase is to be financed largely from the additional revenues received from the increase in fish-and-game fees adopted by the Legislature in 1971. Spending by the Department of Parks and Recreation is to go up by $2.4 million, largely to meet the costs of operating the expanding state park system.

Expenditures for corrections, including youth authority programs, are budgeted at $213.2 million for 1973-74, up only $5.1 million, or 2.4 percent from the current year. The largest part of the increase, $2.6 million, is for assistance to counties for special probation supervision programs, reflecting the fact that the state is relying more and more upon community-centered probation and parole programs for dealing with youthful offenders. A total of $23.7 million is to be spent for the probation subsidy program in 1973-74. Forty-seven counties now participate in this program, which, according to administration figures, has reduced juvenile and adult commitments by the courts by 20,566 over the past five years.

The average daily population in state facilities for youthful offenders is down to about 4,200 from a figure of 5,342 in 1966-67. The state parole caseload is also down (because of community programs), now averaging about 11,800 as compared with 14,810 five years ago. It has been reported that the state is planning to close all but two of its youth authority facilities, although administration spokesmen deny it. A special report is to be issued in March.

The prison and parole population of adult offenders also continues to decline. The average number of inmates in state correctional facilities is expected to fall from 27,685 in 1969-70 to 19,260 in 1973-74. As a consequence, the state is in the process of closing several of its 12 prisons and 15 conservation camps, although the resulting loss of jobs for residents of the nearby communities has generated considerable local opposition to this action, just as has the closing of state mental hospitals.

Expenditures by the Department of Corrections are to be increased by $2.5 million to a total of $142.5 million in the budget year. The greater part of the increase will go to the Community Correctional Program, which is the title given the state's prison parole system. The purpose of this increase is to reduce the ratio of parolees to parole agents from 1:68 to 1:50 to meet minimum due process requirements recently ordered by the courts.

Federal funds

Although the budget makes but passing reference in several places to federal funds that flow through state agencies, it is worth noting that some $4.8 billion comes to California in the form of federal grants, reimbursements, and expenditures for special projects. The bulk of these funds, according to the figures in Schedule 3 of the Governor's Budget, are for health and welfare programs — primarily Medi-Cal ($700.7 million in 1973-74), welfare ($1,344.2 million), education ($349.2 million), highway construction ($342.2 million), the University of California ($488.1 million), and unemployment benefits ($649 million).

BUDGETED FEDERAL AID EXPENDITURES
(IN MILLIONS)

	Actual 1971-72	Estimated 1972-73	Budgeted 1973-74
General Government & Law Enforcement	$ 67.4	$ 88.5	$ 86.0
Agriculture & Services	6.7	6.5	6.7
Business and Transportation	439.2	483.9	380.6
Resources	13.6	10.0	13.1
Health & Welfare	3,050.9	3,183.4	3,340.4
Education	874.1	897.3	917.1
National Guard	63.2	72.1	75.2
Disaster Relief	56.7	74.4	25.1
Totals	$4,517.8	$4,816.1	$4,844.2

Obviously, the state has become heavily dependent upon federal funding, particularly in the areas of health, welfare, education, and transportation, and the cutbacks in funding in these areas sought by the administration of President Nixon are likely to have a sharp impact on state programs in the coming years. In several areas the state will have the choice of picking up the full costs of programs started with matching federal funds or dropping those program altogether.

CALIFORNIA CALENDAR

Feb. 14-15 **Highway Commission.** Public Works Building, 1120 N Street, Sacramento. 10 a.m.

Feb. 16 **Regents of the University of California.** Los Angeles Convention Center, 1201 S. Figueroa, Los Angeles.

Feb. 21 **Health Planning Council.** Auditorium, 744 P Street, Sacramento. 10 a.m.

Feb. 21-22 **Board of Equalization.** 1020 N Street, Sacramento. 10 a.m. Business Taxes hearings.

Board of Governors of the California Community Colleges. Comstock Room, Sacramento Inn, Sacramento. 9:30 a.m.

Feb. 22-23 **Social Welfare Board.** Holiday Inn, San Rafael. 7:30 p.m.

Feb. 27 **Special Election Runoff.** To fill the 22nd state Senatorial District seat.

March 1 **Council on Criminal Justice.** Department of Agriculture Auditorium, 1220 N Street, Sacramento. 9:30 a.m.

March 6 **Special Election.** To fill the vacancy in the 38th state Senatorial District created by the resignation of Senator Clair Burgener.

March 8-9 **Board of Education.** State Building, 107 S. Broadway, Los Angeles. 9 a.m.

Meetings of the following state boards, commissions, and councils are listed each month; if one of these is not listed, it can be assumed that it is not scheduled to meet this month. Boards, commissions, and councils to be included are: Board of Education; Board of Equalization; Board of Governors of the California Community Colleges; Board of Trustees of the California State University and Colleges; Consumer Advisory Council; Coordinating Council for Higher Education; Council on Criminal Justice; Highway Commission; Little Hoover Commission; Park and Recreation Commission; Regents of the University of California; and Social Welfare Board.

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Legislators Follow Courts' Lead in Seeking to Balance Tenants' and Landlords' Rights

By Bruce Keppel

Will the day Helen Hinson's bathroom floor gave way in November 1969 become known as the day the roof fell in on slumlords throughout the state? That it shall is the hope, at least, of attorneys in Los Angeles, San Francisco, Berkeley, and elsewhere, who are handling an increasing number of tenant complaints about the habitability of rented houses and apartments, and who have had to do so within the limits of the state's landlord-tenant law, which in their view is stacked heavily against tenants. Landlords, on the other hand, consider the existing law generally adequate — the hole in the Hinson bathroom notwithstanding.

In the Hinson case, when the landlord refused to make adequate repairs to the bathroom floor of her rented apartment in Richmond, Hinson countered by withholding part of her $90 monthly rent, and her landlord responded by threatening to evict her within three days unless she paid up immediately. The dispute eventually came before the Contra Costa County Superior Court, which held that Hinson had no right to withhold rent. She appealed, however, and the trial court's judgment was reversed last June by the Court of Appeal, which ruled that the act of renting residential premises constitutes an assurance that they are habitable; if they are not, the court said, the tenant may lawfully withhold rent payments until the condition is corrected.

The appellate court's decision in *Hinson v. Delis* appears to have been reinforced last September by a southern California case, *Ball v. Tobler*, in which the attorney for the tenant argued that the rental of substandard residential premises is in itself "an unlawful and unfair" business practice as defined in section 3369 of the Civil Code. According to that section, "Any person performing or proposing to perform an act of unfair competition within this state may be enjoined in any court of competent jurisdiction." Section 3369 also defines "unfair competition" to include an "unlawful, unfair or fraudulent business practice," and specifies that "actions for injunction under this section may be prosecuted by . . . any person [or organization] acting for the interests of itself, its members or the general public." As in *Hinson*, the trial court ruled against the tenant and the Court of Appeal reversed it. In doing so, the appellate court drew upon a state Supreme Court ruling (*Barquis v. Merchants Collection Association*) that held that the Legislature, in adopting section 3369, "broadened the scope of legal protection against wrongful business practices generally, and in so doing extended to the entire consuming public the protection once afforded only to business competitors." The appellate court also reviewed the *Hinson* case, and concluded that "the reasoning of *Hinson* places a tenant in a position akin to a consumer," and that the "sweeping language of section 3369 of the Civil Code embraces the unlawful practice of a landlord . . ."

Legislature takes note

The effect of these 1972 decisions, according to Allan David Heskin, staff attorney to the National Housing and Economic Development Law Project at the University of California at Berkeley, is to provide the first solid link between the state's landlord-tenant law and the enforcement provisions of state and local housing codes. In so doing, the courts, in effect, have rejected the long-held theory that a landlord's obligation to maintain habitable premises is unrelated to the tenant's obligation to pay the rent. And, as a consequence, the courts have significantly increased the ability of a tenant to demand fair treatment without fear of summary eviction by his landlord. Moreover, the decisions, together with growing militancy of the part of tenants, have brought the matter to the attention of the Legislature, which has begun to give serious thought to the need for a full-scale revision of state law in this area.

The legislative concern behind the current effort to reappraise landlord-tenant law did not, however, develop overnight, and landlord interests have been anything but inactive. For example, in 1970 Senator Nicholas Petris sought unsuccessfully to enact a "tenants' bill of rights". In that same year, the Legislature did pass a bill authorizing the withholding of rent when a landlord has failed to comply with specified acts, but the measure was considerably weakened by a provision limiting its use to once in 12 months and denying it to tenants who violate specified occupancy regulations supported by the real estate lobby. In 1971, a bill by Assemblyman Alister McAlister extended the time granted to a tenant to respond to an eviction notice from three days to five (still an unusually short time for a legal response). As *quid pro quo*, however, Senator George Deukmejian won support for placing the same five-day limit on the time granted to tenants to respond to decisions against their motions in court.

Last year, Assemblyman McAlister came back with a much more ambitious measure, AB 1965, which would have written into the statutes a number of the rights that tenants have gained through the courts. Among these were the right to use proof of racial discrimination, "nontenantable" premises, or retaliatory eviction as a defense against eviction. AB 1965 was held in the Assembly Judiciary Committee last summer, however, pending adoption of a model "Uniform Residential

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Landlord-Tenant Code" by the National Conference of Commissioners on Uniform State Laws. The conference adopted the uniform code last August, and in October Assemblyman Charles Warren, chairman of the Judiciary Committee, called hearings to see what parts of the proposed Uniform Code might be applicable in California.

Four major subjects

The Assembly hearings focused on four major subjects of landlord-tenant law — a landlord's responsibility for habitability, eviction procedure, retaliatory eviction, and "repair-and-deduct" rights—and brought out the following differences between existing state law, the Uniform Code, and AB 1965:

1. *Implied warranty of habitability.* Section 1941 of the California Civil Code requires a landlord to maintain a rented residence in "tenantable condition", which it defines in a series of affirmative standards relating to such things as plumbing, weatherproofing, heating, and lighting. More specific building standards and enforcement procedures are contained elsewhere in state law, and, as a result of the *Hinson* case, they are now closely linked to Section 1941.

Under the proposed Uniform Code, the tenant is liable for the contracted rent, less damages suffered through the landlord's failure to make needed repairs. (In *Hinson*, the court held the tenant liable in such circumstances only for "the reasonable rental value" of the premises.) AB 1965 would have classified any premises as uninhabitable if they were in "substantial" violation of state, county, or municipal law, regulation, or ordinance, and codified *Hinson* by specifying such a violation as a defense against eviction. To protect the landlord's financial interest, however, AB 1965 provided that all or a part of a tenant's rent could be paid to the court as it came due.

2. *Eviction ("unlawful detainer") procedure.* The summary nature of eviction proceedings formerly backed by the courts has been altered by *Hinson, Ball,* and a number of other cases. Formerly, a tenant who failed to pay his rent had no defense against eviction; now, the tenant is fully protected if he or she can prove racial discrimination or violation of the implied warranty of habitability, or show that the eviction is an unlawful retaliatory act. The Uniform Code doesn't deal with eviction procedure, but it does specify tenant defenses against unlawful-detainer charges similar to those that the California courts have now established and that were incorporated in AB 1965.

Tenants' attorneys argue that the period of time allowed a tenant to respond to an eviction notice, despite having been lengthened to five days in 1970, remains unjustifiably and unfairly brief. In the view of these attorneys, the law should treat a landlord no differently than any other creditor. The California Real Estate Association counters, however, that landlords must have prompt payment of rent to fulfill such financial obligations as mortgage payments and tax liabilities.

3. *Retaliatory eviction.* Though the tenant defense against retaliatory eviction is now specified in state law, tenants' attorneys maintain that it offers little real protection to the tenant. They reason that since a tenant is protected for only 60 days (after which an eviction notice or pressures to move are no longer considered to have been taken in retaliation for some legitimate act by the tenant), there remains more than a fair opportunity for intimidation by landlords. AB 1965 entirely removed this time limit, and the proposed Uniform Code extends it to one year.

4. *Repair and deduct.* The Assembly Judiciary Committee also considered the tenant's right to take an action known as "repair and deduct". If a tenant asks a landlord to make a needed repair and the landlord fails to do so within 30 days, the law provides that the tenant can make the repair and deduct its cost from the rent. The cost cannot exceed one month's rent, however, and, as the Legislature specified in 1970, the remedy cannot be used more than once in 12 months, and then only if the tenant has complied with specified occupancy regulations and did not himself cause the condition.

AB 1965 would have reduced the waiting period to 20 days, removed the limits on cost and frequency of use, and eliminated the tenant's prior obligations. The Uniform Code reduces the waiting period to 14 days, but relegates "repair and deduct" to a remedy for repairs costing less than $100 or one-half the periodic rent, whichever is greater.

The tenant's view

At the hearing in October, attorney Heskin characterized California's landlord-tenant law is "the most regressive", from the tenant's point of view, of any major state. "Present California law," he said, "is not satisfying the needs of either landlords or tenants in that remedies are neither speedy enough for the landlord nor open enough for the tenant, resulting in the use of unauthorized self-help remedies by both land-

Berkeley rent-control board is challenged

Dissatisfaction with rental housing costs has led to creation in Berkeley of California's first locally elected rent-control commission. The commission, which will begin operation this spring, is authorized to roll back rents to the level of August 15, 1971, the date President Nixon imposed a national wage-price freeze, approve rent adjustments, and mediate eviction conflicts. Forty-four percent of Berkeley's voters turned out January 23rd to elect a slat of five commissioners who described themselves as "political liberals" and campaigned as the Fair Rent Control Committee, known also as the Berkeley Five. The commissioners pledged to administer the controls "fairly, impartially, and reasonably". Their chief competition came from a group of "radical" candidates who campaigned as the Community Rental Control Slate and claimed to be "tenant-oriented".

Last June, Berkeley voters approved a Rent Control Initiative to establish the commission after a campaign in which the act's supporters cited a University of California survey showing that rents in Berkeley had increased over the last decade decade by ten times the average nationally over the same period. The initiative movement grew from a "rent strike" begun two years ago by the Berkeley Tenants Union, whose members withheld rent payments while seeking to reach collective-bargaining agreements with their landlords. Six landlords have challenged the rent-control law in court on a variety of constitutional grounds and, on January 25th, Alameda County Superior Court Judge Lionel J. Wilson barred the commission from taking office, pending hearings this month.

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lord and tenant, and sometimes in violence." The problem, according to Heskin, is that times have changed but state law has failed to keep pace. "Present California law continues to rely primarily on the once applicable position that it is the best public policy that an unhappy tenant move and find other quarters. This position, which places the heaviest burden of disputes on the tenant, is no longer feasible in light of the shortage of housing, and results in the continuation of disputes rather than their resolution, an economic loss to the landlord, an economic and social loss to the tenant, and a temporary loss in the supply of housing."

The landlord's view

The California Real Estate Association, which represents the interests of property owners, has been very cool toward most of the proposed changes in existing laws. REA lobbyist Dugald Gillies testified at the Assembly hearings that existing state law is generally adequate for resolving landlord-tenant disputes. He conceded that *Hinson* and *Ball* should be set forth in statute, but other than that, he made clear, landlords like state law the way it is. "While some cases of abuse can be shown on both sides," Gilies said in an interview summarizing his association's position, "I don't think you're ever going to write a law that will eliminate them. We think that, generally, the law has worked well in California and that a few cases of abuse on both sides are to be expected."

Assemblyman Jack Fenton, who is the Majority Floor Leader, took issue with Gillies at several points. "You understand, of course," Fenton told him, "that the outgrowth of everything coming on the landlord-tenant field is by virtue of the fact that the landlord for years had everything his own way. . . . So the proper way for your people to stem the tide is to be reasonable and find reasonable ways to be fair to both sides. Because if you don't, as you well know from court decisions, you are going to get klunked on the head. . . . The wave of consumerism is here. Your people should be aware of that fact and allow you to come in and help on this, instead of trying to just deter and stopgap."

A delicate balance

Based on these hearings and related committee studies, Assemblyman Warren is preparing a bill for introduction this session that will substantially revise existing state law. The need for such a revision, Warren says, was underlined last month when President Nixon, in Phase Three of his economic program, not only removed rent controls but also declared a moratorium on federal housing programs — at a time when low-cost housing is at a premium in California.

The intent of the Warren bill, it appears, will not be to shift the legal balance to the point that it favors tenants. "The relationship of landlord and tenant is continuing and sensitive," Warren said at the outset of his committee's hearing. "The landlord looks at the property as exclusively his and a source of income, and the tenant views the property as his home. It is in the best interest of all parties that the relationship be one of cooperation, with disputes being settled quickly with recognition of each party's interest." That is the balance Warren knows he'll have to strike if an extensive revision of landlord-tenant law is to succeed. This means protecting the low-income tenant from the slumlord, while assuring the conscientious landlord reasonable protection for his investment.

Trial Jury Reform Measures Aim a Delays and Making Jury Duty Les

Juries wield great power within our legal system, deciding upon the guilt or innocence of defendants in criminal and civil cases, and the penalties to be levied against those found guilty, with a degree of latitude granted to few other public bodies. It is not surprising, therefore, that considerable attention has been given to the composition of juries in recent years, focusing especially upon the extent to which each jury and the list from which it was drawn actually represent a cross-section of the community.

Most citizens regard jury duty as a basic civil obligation, like voting. but only in the abstract. When it comes down to actually serving on a jury, giving up the time and energy and income that jury duty may demand, many people find reasons why it's just not practical at the moment. And the number of persons who have sought exemptions because of their occupation has grown to the point that it constitutes a serious problem for those who attempt to administer the judicial system. There are many reasons for trying to evade jury duty, according to Senator Robert J. Lagomarsino, who, as a member of the Senate Judiciary Committee, has studied the matter extensively. "Perhaps the most important," the Senator said recently, "is the ever-increasing length and complexity of jury trials. The spector of being called as a juror in a major trial which may last for many months, coupled with the often rigorous conditions of jury service and the low rate of compensation, has the effect of automatically excluding many persons from consideration. This is particularly true of 'working-class people' or persons whose employer is unwilling to reimburse them for the lost pay. As a result, judges and counsel often find it difficult to select a jury which provides a truly representative cross-section of the community."

There are a number of ways in which jury duty can be made more attractive, Lagomarsino believes, among them the adoption of court procedures "to streamline and shorten trials, hence making jury service less of a hardship on the average citizen." There have been a number of legislative proposals in the past five years attempting to do just that, but the principal effort has been directed toward modifying the criteria for jury selection, reducing the size of juries. experimenting with less than unanimous verdicts, and improving the pay for jury duty. Jury "reform", as these changes are called, was a particularly important issue during the 1972 session of the Legislature and, because many problems remain unresolved, may very well be again this session.

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Reducing Onerous

A trial jury, according to the state's legal definition, is "a body of persons returned from the citizens from a particular district before a court or officer of competent jurisdiction and sworn to try and determine by verdict, a question of fact." To be eligible to sit on a jury in California (in the state courts), one must be a citizen of the United States of at least 18 years of age and a resident of the state and county for one year; in possession of "natural" faculties, of ordinary intelligence, and "not decrepit"; and possessed of a sufficient knowledge of English. Persons who have been convicted of "malfeasance in office or any felony or other high crime" may not serve; nor may persons who have served as jurors within the preceding year (or, in cities and counties of 300,000 population, who have served for 20 days during the preceding two years).

It is now generally the practice that names of prospective jurors are drawn from the most recent voter registration lists for each county. Every January the superior court in each county must estimate the number of trial jurors that will be required by the court for the ensuing year and then prepare a list with a sufficient number of names. In smaller counties, the judges of the superior court select and prepare the jury list, but in counties of 60,000 population or more the courts may appoint a jury commissioner to take over this task. When the commissioner (or the court, in the case of the smaller counties) has selected a sufficient number of names, it is common practice to mail a questionnaire to each person selected to obtain such basic information as the person's age, residence, citizenship, and occupation, together with a notice informing the person as to when he or she must appear in court to receive further instructions. The names of those who are called but are exempt from service because of their occupations or other reasons are removed from the list, which, when complete, is certified and place on file in either the county clerk's office or the commissioner's office. The names of those on the list then go into the "trial jury box" for selection as needed.

Jurors examined

As cases come up for trial, the names of prospective jurors are drawn from the box, and those whose names are drawn are then subject to examination as to their competence to hear the particular case. The purpose of this "*voir dire*" examination, as it is called, is to attempt to determine if any of those selected have biases or opinions that will impair their ability to hear and decide upon the facts of the case. Until recently, the examination has been carried out by the attorneys for each side in the presence of the judge in both civil and criminal cases. Effective January 1, 1972, however, the California Judicial Council amended the California Rules of Court to require trial courts in civil jury cases to use either the "federal method" of jury selection, in which the judge conducts the questioning of prospective jurors or, upon agreement of the parties and the presiding judge, the "New York method", in which the attorneys conduct the questioning without the judge's presence. Whichever way the examination is conducted, the attorney for each side may "challenge" a specified number of prospective jurors whom they do not want on the panel. There are two types of challenges: a "challenge for cause" is allowed when the attorney for either side cites a specific reason why a prospective juror should not be permitted to hear the case, and a "peremptory challenge" is one for which no reason need be given. There is no limit to the number of challenges for cause, a provision that often makes jury selection a very long, drawn-out process, but the number of peremptory challenges is limited, ranging from six per side in ordinary criminal cases to 20 per side in capital cases. In civil cases, ten peremptory challenges are allowed each side.

Trial juries must consist of 12 persons, except that in civil actions and criminal cases in which the defendant is charged with no more than a misdemeanor, the jury may consist of any number less than 12 upon which the parties may agree. Currently, each juror receives $5.00 per day of service (including time required by the *voir dire* examination) and $.15 per mile of travel to the court (one way).

1972 legislation

Although a number of measures have been introduced in the Legislature in the last few years to modify the state's jury system, it was not until last year that any major legislation was enacted. Perhaps the most ambitious single piece of legislation introduced in 1972 was SB 924, authored by Senator Lagomarsino with the backing of the Select Committee on Trial Court Delay. Passed by the Legislature and signed into law, the measure will go into effect this month. Among other things, SB 924 specified minimum comforts to be provided jurors, required the random selection of jurors from the list of registered voters in each county (a practice followed by most counties now), and exempted from jury duty, in counties of 5,000 population or more, persons who, in the preceding three years, have served in a trial or have made four appearances for jury duty. Previously a person might be qualified if he or she had not served as a trial juror or on a grand jury within a year, but there is a long list of occupations that are exempt from jury duty, presumably because they involve services that cannot be interrupted without undue disruption to the community. SB 924 limits the use of these exemptions, however, to cases of "extreme and serious hardship" approved by the presiding judge. (Several similar provisions were carried in AB 224 by Assemblyman Charles Warren, Chairman of the Assembly Judiciary Committee, but AB 224 was dropped upon passage of SB 924.)

Two other successful measures also dealt with exempt occupations. One, SB 1285 (Beilenson), eliminated druggists from those who are exempted because their occupation involves the dispensing of drugs, but retained the exemption for pharmacists and drug manufacturers and wholesalers. AB 519 (Hayden) ex-

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Occupational Exemptions from Jury Duty

"1. A member of the Legislature of this state; a Member of the Congress of the United States; a judicial, civil, naval or military officer of the United States or of this state, or a member of the armed forces of the United States, while on active duty;

"2. A person holding a county, city and county, city, town or township office of profit;

"3. An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

"4. A minister of the gospel, or a priest of any denomination following his profession;

"5. A teacher in a university, college, academy, or school;

"6. A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor or practicing registered optometrist, or practicing registered pharmacist;

"7. An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

"8. Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

"9. Employed on board of a vessel navigating the waters of this state;

"10. An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or tollgate;

"11. An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers . . .;

"12. A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

"13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; or a person who, within the last preceding three years, has served as a juror either for the completion of one trial or has made four appearances for purposes of serving as a juror, and who has requested an exemption . . .;

"14. A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination;

"15. A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence;

"16. Employed by the Legislature, or either house thereof, including, but not limited to, a joint committee; or,

"17. A city mayor, member of a icty council, or person holding a position equivalent to a president or member of a legislative body of a city."

tended the exemption for paid local government officials to unpaid local officials, including mayors and city council members. Several other measures intended to expand the exempted occupations failed, as did AB 142 (Quimby), which would have eliminated a number of occupations from the exempt list.

Jury vote and size

One of the more significant recommendations of the Select Committee on Trial Court Delay was one calling for a reduction in the required vote for conviction from unanimous to a five-sixths majority in all criminal cases except capital cases, for which the unanimous verdict was to be retained. According to Senator Lagomarsino, who incorporated that recommendation in SCA 43 and SB 972, the U.S. Supreme Court has twice ruled that less than unanimous decisions do not violate the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution, saying in effect, that it is up to individual state legislatures to decide how many jurors are necessary to return a verdict of guilty or not guilty in the state courts. Nevertheless, there was considerable opposition to change in this area, and all of the bills which dealt with the subject were defeated.

Several other measures were introduced in 1972 to change constitutional and statutory requirements regarding the sizes of juries. To some observers, the time spent selecting 12 jurors rather than six or eight adds greatly to the length of the average trial while doing little or nothing to add to the objectivity and competence of the jury. According to the Select Committee on Trial Court Delay, however:

> "Other than the generally accepted rule of thumb that virtually every civil trial will take more time if heard by a judge and jury than if heard by a judge alone, no clear quantitative evidence exists regarding the contribution of the jury trial to court congestion and delay. Similarly, other than various historical traditions and democratic beliefs, there is no hard evidence that the civil jury trial results in 'better justice' than does a trial by a judge alone. In view of this empirical uncertainty, the committee believes that radical changes in the civil jury system should not be made absent some clear showing that significant benefits will be gained in terms of relieving court congestion and delay. The committee feels, however, that there are certain ways to improve the civil jury system, ways whose possible effect on the dispensation of justice seems minimal and in any event far less than the possible effect on court congestion and delay, which is in most instances an injustice in itself."

Among the ways recommended by the committee were to reduce the size of juries in civil cases from twelve to eight and to set the jury size at six in criminal cases where the alleged offense is a misdemeanor.

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A proposal to this effect was carried in SCA 10 and SB 110 by Senator Alfred Song, chairman of the Senate Judiicary Committee. These and other bills to change the size of juries — SCA 43 and SCA 68 (Lagomarsino), AB 224 (Warren), AB 576 (Johnson, R, and Ketchum) and ACA's 23 (Warren), 40 (Johnson, R. and Ketchum) and 41 (Johnson, R.) — attracted support from the select committee, the California District Attorney's Association, the California Peace Officer's Association and many individual judges, but were successfully opposed by trial attorneys organizations and others who charged that they put too much emphasis upon speedy trials and too little upon safeguarding the right of defendants.

Voir dire

Another area of considerable interest last year (and probably again this year) was the *voir dire* process. The new system was adopted by the California Judicial Council upon recommendation of the Superior Courts of Los Angeles County (which ran an 18-month test of the two new systems), Santa Clara County, and San Francisco County, as well as its own studies. The so-called federal system, in which the judge examines the jurors, is used by 20 other states in some form and has been recommended for use in criminal cases by the American Bar Association. According to a recent council survey of judges and attorneys, an overwhelming percentage of judges who have tried the federal system and a "substantial majority" of the attorneys approve its use. Nevertheless, many attorneys are unhappy with the new process because, they say, although it may speed jury selection, judges too often fail to ask the right questions themselves and also often fail to ask important questions submitted by the attorneys. Four bills were introduced in 1972 to modify the existing procedure, AB 442 (Warren) and SB 880 (Deukmejian), which would have extended the federal *voir dire* to many criminal cases, and AB 1562 (Z'berg) and AB 200 (Brathwaite) which would have ended its use in civil cases. None of these measures passed, however, and proponents are now preparing new proposals to place before the Legislature this year.

"... each jury makes its own 'law' in each case with little or no knowledge of, or reference to, what has been done before, or regard to what will be done thereafter, in similar cases."

Jerome Frank
Court on Trial

Jury pay

There were also several efforts to raise the pay for jury duty in the state courts, supported by the argument that the current low pay is one of the most important reasons why it is so difficult to get people to accept jury duty. Prior to 1970, jurors were paid $3.00 a day and $.05 a mile one way for travel to the court. SB 584 (Sherman) of 1970 raised the pay to the current $5.00 per day plus $.15 a mile one way, but many believe this still is not enough, pointing out that the federal courts now pay $20.00 per day and $.10 for mileage round trip. Obviously, they say, $5.00 per day is not enough to meet current living costs for those who are unemployed or whose employers refuse to pay them the difference between their regular wages and the jury pay. As a result, they charge, jury panels often include a disproportionate number of older retired or semi-retired persons and unemployed persons. Nevertheless, none of the proposed changes was enacted into law; a provision in SB 924 that would have increased the daily pay to $20.00 was blue-penciled by Governor Reagan before he signed the rest of the bill into law.

The principal source of opposition to the proposed increase came from the County Supervisors Association, which evidently represents local disfavor for any increase in state costs. Any future increase will have to be paid out of state funds, however, under the terms of last year's tax bill, SB 90 (Dills), which requires the state to reimburse local government for all state-mandated increases in local government costs (including, it is now believed, the cost of every additional judge and the related expenses of his or her office).

According to Michael Derkakis, moderator of a recent Public Broadcasting System program on the subject ("The Advocates"), jury reform has become one of the main issues before the Legislature in the seventies. "There are many reasons why this issue has become so important," said Derkakis, "the quest for law and order, concern over the growing delays and congestion in the courts, the efforts of some to disrupt the orderly procedure of the criminal trial and most importantly, the fundamental question of guilt or innocense of a particular defendant." This may be somewhat overstated, but it is evident that many of the questions raised by the Select Committee on Trial Court Delay and other groups interested in changing the existing jury system remain unresolved. If these groups continue to press for "reform", it seems likely that some important changes will be made, although not without the vigorous opposition of attorneys and others who for various reasons like the system as it is.

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Geologists Say State Officials Must Face up to Major Decisions Regarding Development of Goethermal Resources

By Eric Burgess

There is a new look at the geothermal resources of the Imperial Valley in a study just published by the University of California, Riverside, for the Legislature's Joint Committee on Public Domain. The central conclusion of those who made the study is that the geothermal resource in the Imperial Valley has a potential too great to be ignored any longer. As a result, major decisions loom ahead for the Legislature and the Reagan administration as to how the resource is to be developed and what the state's role is to be. And these decisions will certainly have great significance for the development of other geothermal resources of the state and perhaps for California's whole energy resource.

A geothermal resource consists, basically, of hot rocks at shallower depths than the normal 20 to 25 miles below the earth's surface. Heat from these rocks creates reservoirs of hot water a mile or so underground, a resource that can be tapped for electrical power, desalinated water, and dissolved minerals. Geothermal steam can drive steam turbines and produce electricity, and geothermal water contains the heat necessary for its own desalination. The hot water can also be used for heating (or cooling) and to process agricultural and other products — to recycle waste paper, for example. Geothermal hot water may also be used to protect crops from frost damage. Over a longer term, with suitable research and development, the hot water might be used to warm soils and thus modify the growing season of crops that are affected more by soil temperature than by air temperature.

On the average, the worldwide flow of geothermal heat to the surface of the earth is thousands of times less than the incoming heat from the sun. But geothermal heat is concentrated in "geothermal anomalies", places where the geological structure allows the deep hot rocks to rise relatively close to the surface, and in such regions the upward heat flow can be ten times the average. Geothermal reservoirs are formed where such heat is concentrated by natural geological formations.

California's reservoirs

California is well endowed with geothermal reservoirs. The East Pacific Rise, an oceanic ridge along which hot magma rises from deep within the earth, passes from the South Pacific through the Gulf of California and under the western edge of the North American Continent. The continental crust above the rise eventually thinned and produced deep valleys which over millions of years have become filled with water-logged sediments. These valleys, of which the Imperial Valley is the best known, offer the present potential geothermal power. According to research conducted by the U.S. Geological Survey, California has more than 60 percent of the nation's known geothermal resource areas, and 16 million acres of the 96 million that the USGS has identified as areas of "prospective value" for geothermal development.

The Imperial Valey is a unique geological feature because of its size and its proximity to the Colorado River, which has probably been the source of the sediments and the underground water that have helped make it a geothermal reservoir. Although the general geology of the area is well known, a detailed geologic map is still lacking. Thus, the geothermal resources cannot yet be assessed on an accurate quantitative basis; but the consensus among geologists is that there is a large geothermal potential there.

Almost a year ago, the Joint Committee on Public Domain, chaired by Assemblyman Kenneth Cory, and its Subcommittee on Geothermal Resources, chaired by Senator Ralph C. Dills, became interested in the development of the state's geothermal resources and contracted with the University of California for a survey of current information about the Imperial Valley's geothermal resources. The report of that survey, which was published in January, described the geological, engineering, economic, legal, regulatory, and environmental aspects of utilizing the geothermal resources of Imperial Valley for their power, water, and mineral potential, and suggested a greatly expanded state role in encouraging and controlling the developing of this resource.

Slow development

Although all evidence points to at least nine geothermal anomalies in the Imperial Valley, only four have been investigated to any extent, of which one has been demonstrated to have a sustained geothermal output. This is the Buttes Field, south of the Salton Sea, which has been producing steam and highly saline brines for several decades. Another area, the East Mesa Field, has only recently been drilled to produce steam and brine from one well. A third area, the Heber anom-

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aly, is on private land, but its potential is believed to have been demonstrated too. The other anomalies have been subject to no more than a cursory exploration.

The Imperial Valley study, carried out under the direction of the Chancellor's Advisory Committee on Geotherma. Research at UC Riverside, explains why progress in utilizing the energy resources of the Imperial Valley has been so slow. Although several technical problems must be solved, most of the major obstacles to development of geothermal resources in California are institutional, according to the report's authors. These problems range from the lack of a precise definition of geothermal resources for legal and tax matters (it has not been decided whether geothermal resources should be treated as gas, water, or mineral revenues, or as an entirely new resource) to the absence of a strong state body to encourage geothermal research and development.

Four forms

Nature provides four main types of geothermal resources: The first consists of hot but dry rocks. To extract their heat, wells have to be drilled and water injected underground to absorb the heat, which is then recovered as steam or hot water. Although there are many hot dry-rock areas, none has been commercially developed so far. This kind of geothermal resource is not expected to be found in the Imperial Valley but may exist elsewhere in the state.

A second type is called a vapor-dominated system. In this type, the underground rocks are hot, hold some water, and are capped by an impervious rock layer. When the reservoir is tapped, the water flashes into steam underground (sometimes steam escapes through natural fissures). This type of geothermal field was the first — and so far the only — one to be developed commercially in California.

In a third form, the water-dominated system, great volumes of hot permeable rock or sediments hold so much water that there is no steam underground. Despite its high temperature, the deep water is kept from boiling by the pressure of cooler water above it. Such a system (Figure 1) is tapped by drilling to relieve the pressure and allow some of the water to flash into steam underground. A mixture of water and steam then gushes to the surface. This is the type of resource found in California's Imperial Valley. Although not yet developed there, water-dominated systems have been developed at Wairakei, New Zealand; Paratunka, U.S.S.R.; and Cerro Prieto, Mexico (about 25 miles south of the border but still in the Imperial Valley).

A fourth type of geothermal resource is more widespread. In this form, there is a large quantity of underground hot water that is not hot enough to flash into steam even when pressure is relieved. This type has been used worldwide for space-heating and in health spas, but so far no way has been found to harness this resource for power, although there may be possibilities of doing so through what is termed a binary-fluid geothermal power system.

In a vapor-dominated system, steam can be fed directely from wells to a steam turbine connected to a generator to produce electricity. In a water-dominated system, the steam first has to be separated from the water, and corrosive brines are deposited during this process. Water-dominated systems are, therefore, more complex than vapor-dominated systems and present greater technical problems of development.

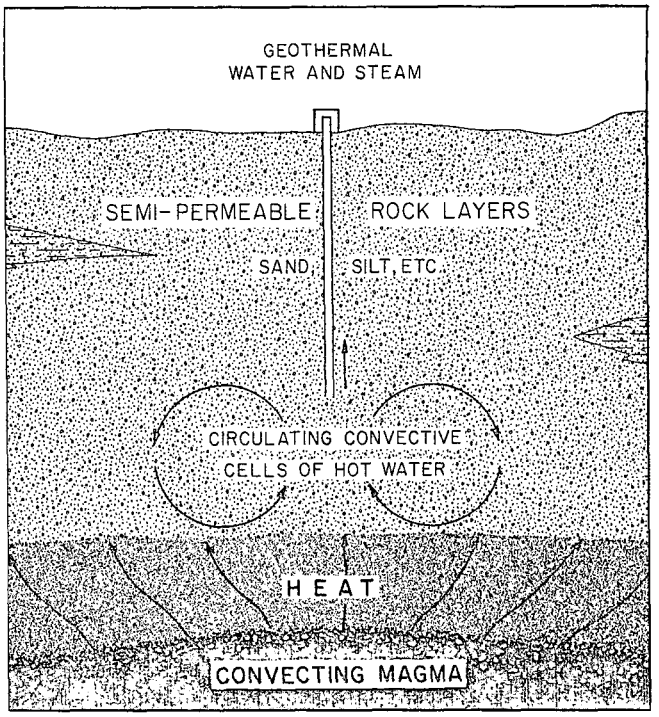

Figure 1
Water-Dominated Geothermal System of the Type Most Prevalent in the Imperial Valley, California

Development problems

A major problem in development of any geothermal field moreover is that, unlike oil, natural gas, and coal, the geothermal energy source cannot be transported far from where it is found. Several miles from well-head to power plant is about the maximum. This means that before a utility company can build a plant, it must be assured that the geothermal field has the capacity (at least 50 megawatts) and the longevity (at least 30 years) to justify the plant's construction. Thereby hangs a major problem that appears certain to slow development of geothermal resources. Only costly and extensive drilling, followed by flow-testing of wells, can bring assurance that a geothermal field will produce as required. Until the physical characteristics of a geothermal field are established, its longevity cannot be predicted accurately. Thus, speculators have little chance of recovering exploratory costs quickly as in an oil field, where a tanker truck can be driven up as soon as a well produces. Not only must the new well produce steam for a sufficient time to prove the resource, but the new well must also be backed up by other producing wells in the same general area. Wildcatting in geothermal energy can only be profitable as a long-term investment, a fact that now discourages extensive exploration.

For this reason, most of the development of geothermal resources in other parts of the world — exploration, resource assessment, resource technology, power plant siting, and construction — have been undertaken by the governments, which can afford to make the long-term investments needed. It is true, of course, that the development of The Geysers in California was entirely by private enterprise, but that development took a relatively long time. The first attempts to develop power

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The Geothermal Resources Board

The Geothermal Resources Board was established in 1965 as the Geothermal Energy Board and reorganized in 1967 when it was given its present name. Its members are the Director of Conservation (Chairman); the State Geologist (Secretary); the State Oil and Gas Supervisor; Executive Officer of State Lands Commission; Chairman of State Water Resources Board; Director of Water Resources; and the President of Public Utilities Commission.

- Recommend state lands to be designated as "known geothermal resource areas" (KGRA's).
- Set drilling fees for drilling new wells or redrilling old wells.
- Act as an appeals board before which written orders of the Oil and Gas Division can be appealed by owners or operators of geothermal wells.
- File formal complaints with the Oil and Gas Division against violators of well-operating regulations.
- Approve or disapprove requests by owners or operators of wells in the same geothermal area to cooperatively develop the area free of antimonopoly restraints.
- Require filing of drilling logs and histories associated with geothermal resources.
- Ensure that development of geothermal power and water resources is consistent with statewide geothermal resources policy.

there took place in the early 1920's, but there was little demand for the electricity that was produced. It was not until 15 years ago that the effort began anew. Ultimately, the field is expected to produce 1,000 megawatts, which is equivalent to the output of a typical nuclear power station, but only after certain additional problems are solved.

Another problem has to do with the siting of power plants. Present technology and output estimates appear to rule out small well-head power or desalinization plants. Instead, it is believed that each field should have several power plants and desalinization plants, the power plants producing about 100 megawatts each, and the desalinization plants 8,000 acre-feet of water per year. This, in turn, presents serious problems in financing, siting, and siting authorization.

Then there is the problem of cooling. All power systems have to be cooled to carry away waste heat at the low temperature end of the power-generation cycle. There are two common ways to do this, air-cooling and water-cooling. An air-cooling system moves air past a radiator to carry waste heat into the atmosphere. A water-cooling system either evaporates water to absorb heat and carry it away in the resulting vapor or moves very large quantities of water through a radiator to carry away the heat in the liquid. Water-cooling is more efficient than air-cooling, especially in hot areas such as the Imperial Valley, and the cooling units cost less to build, but water-cooling requires large quantities of water, either from nearby lakes and rivers or from the geothermal fluids themselves. In the Imperial Valley, the most practical form of cooling appears to be by imported water that can be used to replenish the underground reservoirs, preserving the longevity of the resource as well as reducing the hazards of land subsidence.

Corrosive brines

The heavy output of corrosive brines as a residue when the heated water is turned to steam has been another obstacle to development in some areas, such as the Buttes. There, however, the San Diego Gas and Electric Company is testing a new approach called a binary-fluid power-generating system at three of its wells. This system, which has been used in Russia, offers the possibility of obtaining maximum power output with minimum damage to machinery from corrosive brines. In it, the geothermal fluid flows at high pressure from the well, but it is not flashed into steam to produce power directly. Instead, it passes through a heat-exchanger to heat a secondary fluid (such as isobutane) which drives the power turbine. The geothermal fluid is then cooled and returned to the reservoir from which it was drawn. Thus, the binary-fluid system can be environmentally clean, except for the heat, which so far is an inescapable product of nearly all energy systems.

Recently, on the advice of UC geologists, the U.S. Bureau of Reclamation has drilled a successful well on the East Mesa anomaly, where brine is much less corrosive. The well is producing steam and water suitable for a pilot desalination plant that the bureau plans to install during 1973. The ultimate aim of the project is to produce large quantities of desalinated water that can be used to replenish the Colorado River, which is threatened with increasing salinity because of the heavy demands for its water.

No panacea

Geothermal resources are by no means a panacea for an energy crisis, if that is, indeed, what we face. At best, they can amount only to 20 percent of the state's total energy requirement after several decades of intensive development. And although relatively clean, geothermal resources do present some environmental hazards — noise, disposal of saline brines, disposal of waste heat, and the possibility of subsidence. Yet, these problems are believed to be solvable through technology, regulation, and control, and the resource is potentially much too important to be ignored. For this reason, private enterprise has shown increasing interest in the Imperial Valley's potential. Southern California Edison, Standard Oil Company of California, and Magma Power Company have all made major commitments to try to develop the resources there. They are attracted by the power potential, which is estimated to be the equivalent of between three and thirty nuclear power plants (3,000 to 30,000 megawatts), and the water potential, which is somewhere between 1 billion and 5.5 billion acre-feet. No reasonable estimates of the true mineral potential can be derived, since the technology and economics of extraction have not been worked out in any satisfactory manner, but it is claimed that the geothermal brines of the Imperial Valley may contain the nation's largest source of lithium.

The estimated cost of electrical power from the geothermal resources of the Imperial Valley are less than seven mills per kilowatt hour, including costs of importing ocean water and injecting it into the reservoir.

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Attorney General	Evelle J. Younger	R	500 Capitol Mall Sacramento 95814	445-4334
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Stark, Fortney	D	8	Alameda, Contra Costa	7 Eastmont Mall, Oakland 94605	(415) 638-0700
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Hanna, Richard T.	D	34	Los Angeles, Orange	9461 Grindlay St., Cypress 90630	(714) 821-4300
Anderson, Glenn M.	R	35	Los Angeles	255 W. 5th St., San Pedro 90731 15740 Paramount Blvd., Paramount 90723	(213) 831-9281 (213) 633-3525
Ketchum, William M.	R	36	Kern, Kings, San Luis Obispo, Santa Barbara	800 Truxton Ave., Bakersfield 93301	(805) 323-8323
Burke, Yvonne Brathwaite	D	37	Los Angeles	4041 Marlton Ave., Los Angeles 90008	(213) 295-5424
Brown, George E., Jr.	D	38	Los Angeles, Riverside, San Bernardino	552 N. La Cadena, Colton 92324	(714) 825-2472
Hinshaw, Andrew J.	R	39	Orange	P.O. Box 4062, Santa Ana 92702	(714) 835-3900
Wilson, Bob	R	40	San Diego	123 Camino de la Reina, San Diego 92108	(714) 299-2444
Van Deerlin, Lionel	D	41	San Diego	P.O. Box 729, San Diego 92112	(714) 233-8959
Burgener, Clair W.	R	42	Orange, San Diego	7860 Mission Center St., San Diego 92108	(714) 299-4042
Veysey, Victor	R	43	Imperial, Riverside, San Diego	4075 Main St., Riverside 92502 202 E St., Brawley 92227	(714) 682-9233 (714) 344-3033

*During sessions, mail for Senators may be addressed: New Senate Office Building, Washington, D.C. 20515

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Senate

Name	Party	District	Counties	District Address	Telephone Numbers (District)	(Capitol*)
Alquist, Alfred E.	D	13	Santa Clara	777 N. 1st St., San Jose 95112	(408) 286-8318	445-9740
Behr, Peter H.	R	4	Marin, Napa, Solano	1299 4th St., San Rafael 94901	(415) 457-9441	445-3375
Beilenson, Anthony C.	D	26	Los Angeles	600 S. San Vicente Blvd., Los Angeles 90048	(213) 651-2410	445-7114
Berryhill, Clare L.	R	3	Alpine, Amador, Calaveras, El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, Sierra, Stanislaus, Tuolumne	1301 K St., Modesto 95354	(209) 521-1936	445-2407
Biddle, W. Craig	R	36	Riverside, San Bernardino	6370 Magnolia Ave., Riverside 92506	(714) 682-2052	445-9781
Bradley, Clark L.	R	14	Alameda, Santa Clara	First National Bank Bldg., San Jose 95113	(408) 293-4861	445-3104
Vacant		38	San Diego	——	——	——
Carpenter, Dennis E.	R	34	Orange	3912 Campus Dr, Newport Beach 92660	(213) 361-1141	445-5831
Vacant		22	Los Angeles	——	——	——
Collier, Randolph	D	1	Del Norte, Humboldt, Lake, Mendocino, Sonoma, Trinity	Room 5052, Capitol Bldg., Sacramento 95814	(916) 445-4641	445-4641
Coombs, William E.	R	20	San Bernardino	P.O. Box 146, Rialto 92376	(714) 875-7676	445-6868
Cusanovich, Lou	R	23	Los Angeles	14921 Ventura Blvd., Sherman Oaks 91403	(213) 788-2300	445-8873
Deukmejian, George	R	37	Los Angeles	444 W. Ocean Blvd., Long Beach 90802	(213) 435-4865	445-4961
Dills, Ralph C.	D	32	Los Angeles	529 W. Eighth St., San Pedro 90731	(213) 831-6377	445-5953
Dymally, Mervyn M.	D	29	Los Angeles	2620 S. Western Ave., Los Angeles 90018	(213) 620-5600	445-2104
Gregorio, Arlen	D	12	San Mateo	P.O. Box 906 San Mateo 94403	(415) 574-1970	445-0870
Grunsky, Donald L.	R	17	Monterey, San Benito, San Luis Obispo, Santa Cruz	P.O. Box 1186 Watsonville 95076	(408) 722-3511	445-5843
Harmer, John L.	R	21	Los Angeles	401 N. Brand Blvd., Glendale 91203	(213) 246-8228	445-5976
Holmdahl, John W.	D	8	Alameda	1111 Jackson St., Oakland 94607	(415) 464-0863	445-6671
Kennick, Joseph M.	D	33	Los Angeles	110 Pine Ave., Long Beach 90802	(213) 432-5473	445-5581
Lagomarsino, Robert J.	R	24	Santa Barbara, Ventura	21 S. California St., Ventura 93001	(805) 648-5911	445-5405
Marks, Milton	R	9	San Francisco	350 McAllister St., San Francisco 94102	(415) 557-1437	445-1412
Marler, Fred W., Jr.	R	2	Butte, Colusa, Glenn, Shasta, Solano, Sutter, Tehama, Yolo, Yuba	1626 Court St., Redding 96001	(916) 241-8280	445-3456
Mills, James R.	D	40	Imperial, San Diego	326 Broadway, San Diego 92101	(714) 234-2131	445-6767
Moscone, George R.	D	10	San Francisco	540 Van Ness Ave., San Francisco 94102	(415) 626-4501	445-0503
Nejedley, John A.	R	7	Contra Costa	1393 Civic Dr., Walnut Creek 94596	(415) 934-4558	445-6083
Petris, Nicholas C.	D	11	Alameda	1111 Jackson St., Oakland 94607	(415) 464-1333	445-6577
Richardson, H. L. (Bill)	R	19	Los Angeles	735 W. Duarte Rd., Arcadia 91006	(213) 620-2823	445-3688
Roberti, David A.	D	27	Los Angeles	217 W. First St., Los Angeles 90012	(213) 620-5555	445-8390
Rodda, Albert S.	D	5	Sacramento	Room 4048, Capitol Bldg., Sacramento 95814	(916) 445-5788	445-5788
Schrade, Jack	R	39	San Diego	1904 Hotel Circle, San Diego 92110	(714) 291-2225	445-3952
Short, Alan	D	6	Sacramento, San Joaquin	31 East Channel Stockton 95204	(209) 466-2491	445-5215
Song, Alfred H.	D	28	Los Angeles	2337 S. Garfield Ave., Monterey Park 91754	(213) 724-3825	445-3386
Stevens, Robert S.	R	25	Los Angeles	1245 Glendon Ave., Los Angeles 90024	(213) 473-2147	445-6747
Stiern, Walter W.	D	18	Kern, Kings	930 Truxtun Ave., Bakersfield 93301	(805) 323-3379	445-6637
Walsh, Lawrence E.	D	30	Los Angeles	6055 E. Washington Blvd., Commerce 90022	(213) 685-9320	445-6517
Way, Howard	R	15	Fresno, Inyo, Madera, Mariposa, Merced, Mono, Tulare	P.O. Box 724, Exeter 93221	(916) 445-6447	445-6447
Wedworth, James Q.	D	31	Los Angeles	8404 S. Crenshaw Blvd., Inglewood 90305	(213) 778-0604	445-2848
Whetmore, James E.	R	35	Los Angeles	13163 Brookhurst, Garden Grove 92640	(714) 534-8000	445-4264
Zenovich, George N.	D	16	Fresno	1060 Fulton Mall, Fresno 93721	(209) 488-5567	445-9600

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ASSEMBLY

Name	Party	District	Counties	District Offices	Telephone Numbers (District)	(Capitol*)
Alatorre, Richard	D	48	Los Angeles	5916 N. Figueroa, Los Angeles 90042	(213) 255-7111	445-7587
Antonovich, Mike	R	43	Los Angeles	512 E. Wilson Ave., Glendale 91206	(213) 240-6330	445-8364
Arnett, Dixon	R	26	San Mateo	680 Warren St., Redwood City 94063	(415) 364-0260	445-8188
Badham, Robert E.	R	71	Orange	1649 Westcliff Dr., Newport Beach 92660	(714) 645-7101	445-7222
Bagley, William T.	R	7	Marin, Sonoma	225 Albert Bldg., San Rafael 94901	(415) 456-2421	445-8492
Bee, Carlos	D	13	Alameda	22734 Main St., Hayward 94541	(415) 538-5533	445-7380
Berman, Howard	D	57	Los Angeles	13719 Ventura Blvd., Sherman Oaks 91403	(213) 990-2070	445-4383
Beverly, Robert G.	R	46	Los Angeles	1611 S. Pacific Coast Hwy. Redondo Beach 90277	(213) 378-8522	445-1720
Boatwright, Daniel	D	10	Contra Costa	1005 Detroit Ave. S., Concord 94518	(415) 689-1973	445-8528
Bond, Bill	R	39	Los Angeles	666 E. Ocean Blvd., Long Beach 90802	(213) 432-2968	445-2778
Briggs, John V.	R	35	Orange, San Bernardino	1400 N. Harbor Blvd. Fullerton 92632	(714) 879-2345	445-7448
Brown, Willie L., Jr.	D	18	San Francisco	515 Van Ness Ave. San Francisco 94102	(415) 557-0784	445-8077
Burke, Robert H.	R	70	Orange	17732 Beach Blvd., Huntington Beach 92647	(714) 842-1494	445-8377
Burton, John L.	D	20	San Francisco	350 McAllister St., San Francisco 94102	(415) 557-3616	445-8505
Chacon, Peter R.	D	79	San Diego	5106 Federal Bldg., San Diego 92105	(714) 263-2148	445-7610
Chappie, Eugene A.	R	6	Alpine, Amador, Calaveras, Ed Dorado, Inyo, Mariposa, Mono, Nevada, Placer, Tuolumne,, Yuba	Rm. 320, State Capitol Sacramento 95814	(916) 445-7298	445-7298
Cline, Robert C.	R	64	Los Angeles	6355 Topanga Canyon Blvd., Woodland Hills 91364	(213) 347-2222	445-7676
Collier, John L. E.	R	54	Los Angeles	1109 Fair Oaks Ave., So. Pasadena 91030	(213) 799-9462	445-7234
Cory, Kenneth	D	69	Orange	8100 Garden Grove Blvd., Garden Grove 92641	(714) 638-7401	445-7446
Crown, Robert W.	D	14	Alameda	1111 Jackson St., Oakland 94607	(415) 464-0847	445-8160
Cullen, Mike	D	44	Los Angeles	444 W. Ocean Blvd., Long Beach 90802	(213) 435-4404	445-7454
Davis, Pauline	D	1	Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity	P.O. Box 1071, Portola 96122	——	445-7266
Deddeh, Wadie P.	D	77	San Diego	815 3rd Ave., Chula Vista 02011	(714) 427-7077	445-7556
Dixon, Julian	D	63	Los Angeles	2907 W. Vernon, Los Angeles 90008	(213) 295-4226	445-7321
Duffy, Gordon W.	R	21	Kings, Tulare	321 N. Douty, Hanford 93230	(209) 582-4431	445-2931
Dunlap, John F.	D	5	Napa, Solano	1221 Monterey St., Vallejo 94590	(707) 644-5231	445-8498
Fenton, Jack R.	D	51	Los Angeles	1601 W. Beverly Blvd., Montebello 90640	(213) 724-3400	445-8133
Fong, March K.	D	15	Alameda	10 Eastmont Mall, Oakland 94605	(415) 562-1515	445-7632
Foran, John F.	D	23	San Francisco	350 McAlister St., San Francisco 94102	(415) 557-2253	445-8253
Garcia, Alex P.	D	40	Los Angeles	257 S. Spring St., Los Angeles 90012	(213) 628-5155	445-7533
Gonsalves, Joe A.	D	66	Los Angeles	12340 E. Firestone Blvd., Norwalk 90650	(213) 868-7710	445-7575
Gonzales, Raymond	D	28	Kern	1910 Baker St., Bakersfield 93305	(805) 327-3828	445-8490
Greene, Bill	D	53	Los Angeles	203 E. Vernon Ave., Los Angeles 90011	(213) 234-9021	445-7498
Greene, Leroy F.	D	3	Sacramento	5738 Marconi Ave., Carmichael 95608	(916) 483-2738	445-7807
Hayden, Richard D.	R	22	Santa Clara	525 W. Remington Dr., Sunnyvale 94087	(408) 732-7322	445-8305
Holoman, Frank	D	65	Los Angeles	8836 S. Vermont, Los Angeles 90044	(213) 778-7530	445-3134
Ingalls, Walter	D	74	Riverside	3610 Central Ave., Riverside 92506	(714) 682-3772	445-7444
Johnson, Harvey	D	58	Los Angeles	11001 Valley Mall El Monte 91731	(213) 443-0061	445-7333

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ASSEMBLY (continued)

Name	Party	District	Counties	District Offices	Telephone Numbers (District)	(Capitol*)
Johnson, Ray E.	R	4	Butte, Colusa, Glenn, Lake, Sutter, Yolo	352 Vallombrosa Ave., Chico 95926	(916) 343-8686	445-8343
Kapiloff, Lawrence	D	78	San Diego	424 Pennsylvania Ave., San Diego 92103	(714) 299-5577	445-7210
Karabian, Walter J.	D	45	Los Angeles	231 W. Garvey, Monterey Park 91754	(213) 288-3844	445-1670
Keene, Barry	D	2	Humboldt, Mendocino, Sonoma	2200 Professional Dr., Santa Rosa 95401	(707) 544-4005	455-8360
Keysor, James	D	41	Los Angeles	1108 Cellis Street San Fernando 91340	(213) 361-1233	445-8430
Knox, John T.	D	11	Contra Costa	3803 Macdonald Ave., Richmond 94805	(415) 237-8171	445-7890
Lancaster, Bill	D	49	Los Angeles	573 S. Barranca Ave., Covina 91723	(213) 332-6574	445-9234
Lanterman, Frank	R	47	Los Angeles	106A S. Los Robles, Pasadena 91101	(213) 449-4747	445-8211
Lewis, Jerry	R	73	San Bernardino	3972 N. Waterman Ave., San Bernardino 92404	(714) 886-5201	445-7552
MacDonald, Ken	D	37	Ventura	1903 E. Main St., Ventura 93003	(805) 648-5329	445-7402
MacGillivray, W. Don	R	36	San Luis Obispo	Studio 117 El Paseo, Santa Barbara 93101	(805) 963-1786	445-4843
Maddy, Ken	R	32	Fresno	1221 Van Ness Ave., Fresno 93721	(209) 486-0910	445-7558
McAlister, Alister	D	25	Santa Clara	1577B E. Santa Clara St. San Jose 95116	(408) 272-0221	445-7874
McCarthy, Leo T.	D	19	San Francisco	350 McAllister St., San Francisco 94102	(415) 557-2662	445-2106
Meade, Ken	D	16	Alameda	3923 Grand Ave., Oakland 94610	(415) 464-0786	445-7554
Miller, John J.	D	17	Alameda	3051 Adeline St., Berkeley 94703	(415) 848-4771	445-7442
Mobley, Ernest N.	R	33	Fresno, Madera	600 W. Shaw, Fresno 93704	(209) 224-5293	445-8514
Monagan, Bob	R	12	San Joaquin	406 Bank of America Bldg., Stockton 95202	(209) 466-3351	445-8494
Montoya, Joseph	D	50	Los Angeles	142 N. 1st St., La Puente 91744	(213) 968-1544	445-7783
Moretti, Bob	D	42	Los Angeles	12444 Victory Blvd., No. Hollywood 91606	(213) 985-0910	445-8424
Murphy, Frank, Jr.,	R	31	Merced, San Benito, Santa Clara	P.O. Box 634, Santa Cruz 95060	(408) 423-4411	445-8496
Nimmo, Robert P.	R	29	Kern, San Luis Obispo, Tulare	3040 19th St., Bakersfield 93301	(805) 323-3146	445-7795
Papan, Louis J.	D	27	San Mateo	343B Serramonte Plaza Daly City 94015	(415) 756-6400	445-8020
Powers, Walter W.	D	8	Sacramento	P.O. Box 15265, Sacramento 95813	(916) 925-0633	445-7464
Priolo, Paul	R	60	Los Angeles	12121 Wilshire Blvd., Los Angeles 90025	(213) 820-1525	445-8366
Quimby, John P.	D	72	San Bernardino	227A S. Riverside Ave., Rialto 92376	(714) 875-7272	445-7440
Ralph, Leon	D	55	Los Angeles	1922 E. 103rd St., Los Angeles 90002	(213) 564-1848	445-4011
Russell, Newton R.	R	62	Los Angeles	3507 W. Magnolia Blvd., Burbank 91505	(213) 846-0643	445-8292
Seeley, Raymond T.	R	75	Imperial, Riverside	247 E. Tahquitz-McCallum Way Palm Springs 92262	(714) 325-8416	445-7931
Sieroty, Alan	D	59	Los Angeles	449 S. Beverly Dr., Beverly Hills 90212	(213) 277-5955	445-7928
Stull, John	R	80	San Diego	714 2nd St., Encinitas 92024	(714) 753-6561	445-7444
Thomas, Vincent	D	68	Los Angeles	255 W. 5th St., San Pedro 90731	(213) 833-2881	445-7906
Thurman, John, Jr.	D	30	San Joaquin, Stanislaus	930 15th St., Modesto 95354	(209) 526-3032	445-8570
Townsend, L. E.	D	67	Los Angeles	15305 S. Normandie Ave., Gardena 90247	(213) 327-5920	445-7278
Vasconcellos, John	D	24	Santa Clara	100 W. Rincon Ave., Campbell 95008	(408) 379-8000	445-4253
Wakefield, Floyd L.	R	52	Los Angeles	7340 E. Florence Ave., Downey 90240	(213) 927-2586	445-7852
Warren, Charles	D	56	Los Angeles	1411 W. Olympic Blvd., Los Angeles 90015	(213) 386-8042	445-7644
Waxman, Henry A.	D	61	Los Angeles	6022 Pico Blvd., Los Angeles 90035	(213) 935-1262	445-7511
Wilson, Bob	D	76	San Diego	164 W. Park Ave., El Cajon 92020	(714) 442-4464	445-6161
Wood, Bob	R	34	Monterey	32 E. Alisal, Salinas 93901	(408) 424-1703	445-7486
Z'berg, Edwin L.	D	9	Sacramento	2413 15th St., Sacramento 95818	(916) 443-6728	445-8368

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ASSEMBLY

Speaker Bob Moretti (D)
Speaker pro Tempore Carlos Bee (D)
Majority Floor Leader Jack R. Fenton (D)
Minority Floor Leader Bob Monagan (R)
Democratic Caucus Chairman Ken Cory
Majority Whip Leo T. McCarthy
Republican Caucus Chairman Robert G. Beverly
Minority Whip Frank Murphy

SENATE

President pro Tempore James Mills (D)
Majority Floor Leader George Moscone (D)
Minority Floor Leader Fred Marler (R)
Democratic Caucus Chairman Mervyn Dymally
Republican Caucus Chairman John L. Harmer

Senate Standing Committees

AGRICULTURE AND WATER RESOURCES (6R, 3D)

Way (Chairman) — R
Zenovich (Vice Ch'man) — D
Beilenson — D
Berryhill — R
Coombs — R
Marler — R
Nejedly — R
Richardson — R
Stiern — D

BUSINESS AND PROFESSIONS (5D, 3R)

Deukmejian (Ch'man) — R
Whetmore (V-Ch'man) — R
Beilenson — D
Dymally — D
Marks — R
Roberti — D
Schrade — R
Short — D
Song — D

EDUCATION (6D, 4R)

Rodda (Chairman) — D
Richardson (V-Ch'man) — R
Alquist — D
Dymally — D
Gregorio — D
Grunsky — R
Harmer — R
Marler — R
Moscone — D
Stiern — D
Vacancy

FINANCE (7D, 6R)

Collier (Chairman) — D
Grunsky (Vice Ch'man) — R
Alquist — D
Beilenson — D
Carpenter — R
Cusanovich — R
Holmdahl — D
Lagomarsino — R
Marler — R
Rodda — D
Short — D
Stiern — D
Way — R

GOVERNMENTAL ORGANIZATION (7D, 6R)

Dills (Chairman — D
Kennick (Vice Ch'man) — D
Collier — D
Cusanovich — R
Deukmejian — R
Grunsky — R
Mills — D
Schrade — R
Stevens — R
Walsh — D
Way — R
Wedworth — D
Zenovich — D

HEALTH AND WELFARE (7D, 6R)

Beilenson (Chairman) — D
Dymally (Vice Ch'man) — D
Behr — R
Biddle — R
Dills — D
Harmer — R
Kennick — D
Marks — R
Moscone — D
Roberti — D
Schrade — R
Song — D
Whetmore — R

INDUSTRIAL RELATIONS (4D, 2R)

Short (Chairman) — D
Biddle (Vice Ch'man) — R
Moscone — D
Richardson — R
Roberti — D
Rodda — D
Vacancy

INSURANCE AND FINANCIAL INSTITUTIONS (5D, 4R)

Bradley (Chairman) — R
Wedworth (V-Ch'man) — D
Carpenter — R
Collier — D
Harmer — R
Short — D
Stevens — R
Walsh — D
Zenovich — D

JUDICIARY (7R, 6D)

Song (Chairman) — D
Petris (Vice Ch'man) — D
Biddle — R
Bradley — R
Deukmejian — R
Grunsky — R
Holmdahl — D
Lagomarsino — R
Marler — R
Moscone — D
Roberti — D
Stevens — R
Zenovich — D

LOCAL GOVERNMENT (5R, 4D)

Marks (Chairman) — R
Gregorio (Vice Ch'man) — D
Behr — R
Bradley — R
Coombs — R
Nejedly — R
Petris — R
Rodda — D
Song — D

NATURAL RESOURCES AND WILDLIFE (6R, 3D)

Nejedly (Chairman) — R
Lagomarsino (V-Ch'man) — R
Behr — R
Berryhill — R
Carpenter — R
Dills — D
Gregorio — D
Richardson — R
Wedworth — D

PUBLIC EMPLOYMENT AND RETIREMENT (3R, 2D)

Whetmore (Chairman) — R
Berryhill (V-Ch'man) — R
Kennick — D
Schrade — R
Wedworth — D

PUBLIC UTILITIES AND CORPORATIONS (5D, 2R)

Alquist (Chairman) — D
Behr (Vice Chairman) — R
Cusanovich — R
Dills — D
Gregorio — D
Mills — D
Walsh — D

REVENUE AND TAXATION (4D, 4R)

Stiern (Chairman) — D
Holmdahl (Vice Ch'man) — D
Berryhill — R
Bradley — R
Coombs — R
Deukmejian — R
Petris — D
Wedworth — D
Vacancy

RULES (3D, 2R)

Mills (Chairman) — D
Stevens (Vice Ch'man) — R
Kennick — D
Lagomarsino — R
Zenovich — D

TRANSPORTATION (5D, 4R)

Walsh (Chairman) — D
Schrade (Vice Ch'man) — R
Biddle — R
Holmdahl — D
Kennick — D
Marks — R
Mills — D
Roberti — D
Whetmore — R

ELECTIONS AND REAPPORTIONMENT (Temporary) (5D, 4R)

Dymally (Chairman) — D
Harmer (Vice Ch'man) — R
Alquist — D
Carpenter — R
Coombs — R
Moscone — D
Nejedly — R
Petris — D
Zenovich — D

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AGRICULTURE (7D, 6R)

Briggs (Chairman) — R
Thurman (Vice Ch'man) — D
Duffy — R
Gonsalves — D
Gonzales — D
Johnson, Harvey — D
Johnson, Ray — R
Keene — D
Mobley — R
Montoya — D
Powers — D
Seeley — R
Wood — R

Consultant: George Soares

COMMERCE AND PUBLIC UTILITIES (6D, 3R)

Powers (Chairman — D
Lancaster (V-Ch'man) — D
Badham — R
Fenton — D
Fong — D
Greene, L. — D
Johnson, Ray — R
Maddy — R
Townsend — D

Consultant: John Stephen Spellman

CONSTITUTIONAL AMENDMENTS (3D, 2R)

Garcia (Chairman) — D
Lewis (Vice Chairman) — R
Antonovich — R
McAlister — D
Vasconcellos — D

Consultant: Sam Farr

CRIMINAL JUSTICE (4D, 3R)

Crown (Chairman) — D
Miller (Vice Chairman) — D
Maddy — R
Murphy — R
Seeley — R
Sieroty — D
Waxman — D

Consultant: Thomas H. Clarke Jr.

EDUCATION (11D, 6R)

Greene, Leroy (Ch'man — D
Gonzales (Vice Ch'man) — D
Arnett — R
Berman — D
Burke — R
Cline — R
Collier — R
Cory — D
Dixon — D
Dunlap — D
Greene, Bill — D
Lewis — R
McAlister — D
Montoya — D
Russell — R
Thurman — D
Vasconcellos — D

Consultant: James Murdoch

EFFICIENCY AND COST CONTROL (3D, 2R)

Cullen (Chairman) — D
Stull (Vice Chairman) — R
Brown — D
Lanterman — R
Thomas — D

Consultant: Charles A. Hennessey

ELECTIONS AND REAPPORTIONMENT (7D, 4R)

Meade (Chairman) — D
Hayden (Vice Chairman) — R
Brown — D
Burke — R
Cory — D
Crown — D
Garcia — D
Nimmo — R
Ralph — D
Stull — R
Waxman — D

Consultant: Sarah Michael (ass't)

EMPLOYMENT AND PUBLIC EMPLOYEES (5D, 2R)

Fong (Chairman) — D
Dixon (Vice Chairman) — D
Alatorre — D
Kapiloff — D
Nimmo — R
Russell — R
Z'berg — D

Consultant: Charles Cole

FINANCE AND INSURANCE (11D, 8R)

Deddeh (Chairman) — D
Foran (Vice Chairman) — D
Antonovich — R
Beverly — R
Briggs — R
Chacon — D
Cline — R
Cullen — D
Fenton — D
Greene, Leroy — D
Hayden — R
Knox — D
Mobley — R
Powers — D
Priolo — R
Ralph — D
Russell — R
Waxman — D
Wilson — D

Consultant: Edward Levy

GOVERNMENT ADMINISTRATION (3D, 2R)

Russell (Chairman) — R
Fenton (Vice Chairman) — D
Briggs — R
Brown — D
Chacon — D

Consultant: Roger Duerksen

GOVERNMENTAL ORGANIZATION (7D, 4R)

Ralph (Chairman) — D
Holoman (Vice Ch'man) — D
Cline — R
Cullen — D
Duffy — R
Fenton — D
Keene — D
Keysor — D
Maddy — R
Murphy — R
Townsend — D

Consultant: Parke Terry

HEALTH (6D, 3R)

Waxman (Chairman) — D
Alatorre (Vice Ch'man) — D
Davis — D
Duffy — R
Fong — D
Hayden — R
Ingalls — D
Priolo — R
Townsend — D

Consultant: Ken Wagstaff

INTERGOVERNMENTAL RELATIONS (5D, 1R)

Johnson, H. (Ch'man) — D
Monagan (V-Ch'man) — R
Bee — D
Cullen — D
Lancaster — D
Thomas — D

Consultant: Tim Howe

JUDICIARY (7D, 4R)

Warren (Chairman) — D
McAlister (V-Ch'man) — D
Bagley — R
Beverly — R
Boatwright — D
Foran — D
Karabian — D
Maddy — R
Meade — D
Murphy — R
Z'berg — D

Consultant: Tom Carroll

LABOR RELATIONS (7D, 2R)

McCarthy (Chairman) — D
Berman (Vice Ch'man) — D
Alatorre — D
Bond — D
Garcia — D
Gonsalves — D
MacGillivray — R
McAlister — D
Wakefield — R

Consultant: John Delury

LOCAL GOVERNMENT (7D, 4R)

Knox (Chairman) — D
Keene (Vice Chairman) — D
Arnett — R
Beverly — R
Chappie — R
Holoman — D
Lancaster — D
MacDonald — D
Quimby — D
Seeley — R
Thurman — D

Consultant: Tom Willoughby

NATURAL RESOURCES AND CONSERVATION (8D, 3R)

Z'berg (Chairman) — D
Wood (Vice Chairman) — R
Davis — D
Fong — D
Keysor — D
Miller — D
Nimmo — R
Sieroty — D
Thomas — D
Wakefield — R
Warren — D

Consultant: James Pardau

PLANNING AND LAND USE (4D, 3R)

Priolo (Chairman) — R
Chappie (Vice Ch'man) — R
Kapiloff — D
Karabian — D
Lewis — R
McCarthy — D
Warren — D

Consultant: Emilio E. Varianni

RETIREMENT (4D, 2R)

Wilson (Chairman) — D
Boatwright (V-Ch'man) — D
Dixon — D
Lewis — R
Papan — D
Stull — R

Consultant: David Cox

REVENUE AND TAXATION (12D, 5R)

Gonsalves (Chairman) — D
Kapiloff (Vice Ch'man) — D
Badham — R
Bagley — R
Boatwright — D
Bond — D
Briggs — R
Cline — R
Cory — D
Deddeh — D
Gonzales — D
Greene, Bill — D
McCarthy — D
Murphy — R
Papan — D
Quimby — D
Thomas — D

Consultant: David Doerr

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Committees

RULES (4D, 3R)

Burton (Chairman) — D
Johnson, R. (V-Ch'man) — R
Burke — R
Dunlap — D
Karabian — D
Mobley — R
Quimby — D

Consultant: Lou Angelo

TRANSPORTATION (10D, 5R)

Townsend (Chairman) — D
Papan (Vice Chairman) — D
Berman — D
Burke — R
Collier — R
Deddeh — D
Foran — D
Gonsalves — D
Ingalls — D
Keysor — D
Lanterman — R
MacGillivray — R
McCarthy — D
Wilson — D
Wood — R

Consultant: Sid McCausland

URBAN DEVELOPMENT AND HOUSING (4D, 3R)

Chacon (Chairman) — D
MacGillivray (V-Ch'man) — R
Antonovich — R
Greene, Bill — D
Holoman — D
Meade — D
Wakefield — R

Consultant: George Beattie

WATER (6D, 3R)

MacDonald (Chairman) — D
Ingalls (Vice Chairman) — D
Badham — R
Davis — D
Johnson, Harvey — D
Lancaster — D
Monagan — R
Quimby — D
Seeley — R

Consultant: Louis B. Allen Jr.

WAYS AND MEANS (13D, 8R)

Brown (Chairman) — D
Lanterman (V-Ch'man) — R
Badham — R
Bagley — R
Beverly — R
Burton — D
Chappie — R
Collier — R
Cory — D
Crown — D
Davis — D
Duffy — R
Dunlap — D
Foran — D
Knox — D
MacDonald — D
Miller — D
Mobley — R
Sieroty — D
Vasconcellos — D
Warren — D

Consultant: Rudy Nothenberg

WELFARE (6D, 3R)

Bagley (Chairman) — R
Montoya (Vice Ch'man) — D
Antonovich — R
Arnett — R
Bond — D
Burton — D
Greene, Bill — D
Meade — D
Miller — D

Consultant: Robert Rosenberg

ASSEMBLY COMMITTEE MEETINGS

Monday

1:45 p.m.*	Rm. 2133	Health
1:45 p.m.*	2170	Revenue and Taxation
1:45 p.m.**	6031	Constitutional Amendments
3:45 p.m.**	2117	Welfare
3:45 p.m.**	2117	Commerce and Public Utilities
3:45 p.m.***	6031	Planning and Land-Use

Tuesday

****	Rm. 3188	Rules
9:30 a.m.*	2170	Criminal Justice
9:30 a.m.*	4202	Education
9:30 a.m.*	6028	Efficiency and Cost Control
1:45 p.m.*	6028	Judiciary
1:45 p.m.**	6031	Government Administration
1:45 p.m.**	6024	Water
1:45 p.m.*** (on call	6031	Intergovernmental Relations
3:45 p.m.*	Rm. 2133	Local Government
3:45 p.m.*	2170	Transportation
3:45 p.m.**	2117	Elections and Reapportionment
3:45 p.m.***	6031	Employment & Public Employees

Wednesday

8:00 a.m.	Rm. 4202	Ways and Means
9:30 a.m.**	6028	Labor Relations
9:30 a.m.**	6031	Retirement
1:45 p.m.*	2170	Finance and Insurance
1:45 p.m.**	4202	Natural Resources & Conservation
3:45 p.m.**	6031	Agriculture
3:45 p.m.**	2113	Urban Development and Housing
3:45 p.m.***	2117	Governmental Organization

Thursday

****	3188	Rules

SENATE COMMITTEE MEETINGS

Monday

9:30 a.m.	Rm. 5007	Finance
1:30 p.m.	4203	Transportation
1:30 p.m.	3191	Natural Resources and Wildlife

Tuesday

9:30 a.m.	Rm. 4203	Judiciary
9:30 a.m.	3191	Public Employment & Retirement
1:30 p.m.	5007	Local Government
1:30 p.m.	3191	Agriculture & Water Resources

Wednesday

9:30 a.m.	Rm. 4203	Education
9:30 a.m.	5007	Rules
1:30 p.m.	5007	Revenue and Taxation
1:30 p.m.	3191	Health and Welfare

Thursday

9:30 a.m.	Rm. 4203	Governmental Organization
9:30 a.m.	5007	Elections and Reapportionment
1:30 p.m.	5007	Insurance & Financial Institutions
1:30 p.m.	3191	Business and Professions
1:30 p.m.	2040	Public Utilities and Corporations

Friday

9:30 a.m.	Rm. 3191	Industrial Relations

* Meets every week.
** Meets 1st and 3rd week of month as called.
*** Meets 2nd and 4th week of month as called.
**** Meets Tuesdays and Thursdays when Assembly convenes.

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Calendar for 1973-74 Legislative Session

The first of the two-year sessions of the Legislature, authorized by the voters by passage of Proposition 4 last November, convened on January 8th. The session will run continuously (with recesses in the spring, summer and fall) until finally adjourned November 30, 1974. Each succeeding two-year session will begin on the first Monday in December of even-numbered years, at which time the legislators will elect their leaders and receive their committee assignments, and then adjourn until the first Monday in January. The most important dates of this first two-year session are the following:

1973

January 8: Legislature convened, organized and began introduction of bills.

February 9: Hearings on bills can begin, following the end of the 30-day waiting period for bills introduced on the first day of the session.

April 12-22: Easter recess, from the 10th day before Easter until the Monday after Easter (11 days).

April 30: Last day for legislators to request the Legislative Counsel to draft bills to be introduced by May 15th in order to respect the June 15th deadline (see below) governing committee hearings, unless the constitutional 30-day waiting period is waived.

June 15: Deadline for Assembly policy committees to hear Assembly bills, and for Senate policy committees to hear Senate bills (though bills not heard can still be considered after the mid-session recess in January).
Deadline for passage of the 1973-74 Budget Act.

June 30-August 5: Summer recess, from the last Friday in June (if budget has been enacted) to the first Monday in August (37 days).

August 15: Deadline for the Assembly Ways and Means Committee to hear Assembly bills, and for the Senate Finance Committee to hear Senate bills.

September 15-January 6: Mid-session recess (114 days), for committee studies.

October 2: Last day for signing of bills that will take effect January 1, 1974.*

1974

January 1: Uniform effective date for legislation passed by the Legislature and signed by the Governor by October 2, 1973.

January 7: Session resumes (first Monday in January).

January 10: Deadline for submission of Governor's Budget.

January 30: Bills introduced in 1973 must have passed their house of origin by this date or be dropped.

April 11-21: Easter recess (11 days).

April 30: Last day for legislators to request Legislative Counsel to draft bills for introduction by May 15th.

May 15: Last day of session for introduction of bills without special permission.

May 25-June 4: Primary election recess, from the Friday before Memorial Day until the day after the election (12 days).

June 15: Deadline for policy committees to hear bills originating in their houses.
Deadline for passage of the 1974-75 Budget Act.

June 29-July 14: Summer recess (15 days).

August 15: Deadline for fiscal committees to hear legislation introduced in their houses.

August 31: Last day to pass all bills, except bills calling elections, bills providing for tax levies or appropriations, and urgency measures.

September 1-November 30: Final recess (60 days). The Governor has 30 days to veto bills that reach him by September 1st.
Bills that are neither signed nor vetoed become law and take effect January 1, 1975.

November 15: Last day for presenting urgency bills to Governor, should the Legislature still be in session.

November 30: Legislature adjourns *sine die*.

December 2: Legislature convenes new session for up to five days to organize itself after the November election, then recesses until January 6, 1975.

* Urgency bills are exempt from this provision as well as other bill-consideration deadlines.

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A Guide to the California Legislature

Keeping track of the thousands of bills that are introduced in the Senate and Assembly every year is a difficult job, even for well-staffed professional lobbies. To do so, they rely heavily on six official legislative guides that are published daily during the session: the Assembly and Senate *Daily Files, Journals,* and *Histories*. Single copies of these publications are available free (as are single copies of bills) from the Legislative Bill Room on the second floor of the Capitol. Also available there, at nominal cost, is a useful and concise reference, *California's Legislature,* by James D. Driscoll, Chief Clerk of the Assembly, from which the following descriptions of the legislative publications are drawn.

Daily Files. The *Daily File* for each house is an agenda of the day's business. It lists all measures to be taken up on the floor in the order in which they are to be dealt with, and it also lists all scheduled committee hearings and the bills scheduled for hearing before each committee. Under the provisions of the Assembly rules, notice of all bills set for hearing by any committee or subcommittee must be published in the *Daily File* for three consecutive days prior to the hearings unless there is a special waiver. The Senate rules now also require the calendar for regular committee meetings to be printed in the *Daily File* and at least two days in advance of the meeting. In addition, the *Daily Files* provide an up-to-date listing of the membership of all standing committees of each house.

The Daily Journals. The *Daily Journal* of each house contains a "true and correct" account of each chamber's proceedings of the preceding day. This includes the titles of all measures introduced, considered, or acted upon by each house, the texts of amendments to these measures and of house resolutions, roll calls, messages from the Governor and the other house, committee reports, motions, and acknowledgement of any communications. Senate committee votes are recorded and published in the Senate *Journal,* but the Assembly reports its committee votes in a separate appendix to the Assembly *Journal.*

The Histories. Each chamber's *History* shows the action taken on all measures on the file for action that day (except for measures passed on file) and all committee actions on bills. A *Weekly History,* published at the end of the week, summarizes the daily accounts and contains the titles of all measures introduced up to the end of that week, the committees to which they were assigned, along with any action taken on them and the date it was taken. The *Weekly History* also carries the names of each house's membership, committee assignments, and the schedule of committee meetings.

Legislative Index. At intervals during the session, a *Legislative Index* is published, listing by subject all bills introduced in the Legislature. It also contains a table showing what sections of the Constitution and statutes are affected by the measures introduced.

Other publications

Once the Legislature adjourns, the *Daily Journals* are corrected, reprinted, and deposited with the Secretary of State as a permanent record of each day's proceedings. Each house also publishes a *Final History,* summarizing all legislation introduced and acted upon during the session. This history is indexed and shows what sections of law are affected by the legislation enacted, and whether the changes involved deletions, additions, removals, or renumbering.

These publications are the essential tools for following in detail the action of the California Legislature.

Types of Legislation

- **Bills** propose changes or additions to state law. Depending on the house of origin, they are referred to as Assembly Bills or Senate Bills, followed by a number (for example, AB 13, SB 152).
- **Constitutional Amendments**, also called "bills", actually are resolutions proposing constitutional changes to the electorate. They require a two-thirds majority in each house to qualify for the ballot. They are referred to as SCA's or ACA's.
- **Concurrent Resolutions** are used to ratify amendments to city or county charters, adopt joint rules, create joint legislative committees, express legislative intent, and congratulate persons for public service. They are referred to as ACR's or SCR's.
- **Joint Resolutions** express legislative opinion on matters pertaining to the federal government, and usually urge passage or defeat of legislation pending before Congress. They are referred to as SJR or AJR.
- **House and Senate Resolutions** express the sentiment of one house of the Legislature. They usually ask a committee to study a specific problem, create interim committees, or amend house rules. Their texts are published in the house *Journal,* and they take effect on their adoption.

USEFUL CAPITOL NUMBERS (AREA CODE 916)

Operator	445-7187
Secretary of Senate	445-4251
Chief Clerk of Assembly	445-3614
Archives	445-2832
Auditor General	445-0255
Bill Room	445-2323
Legislative Analyst	445-4656
Legislative Counsel	445-3057

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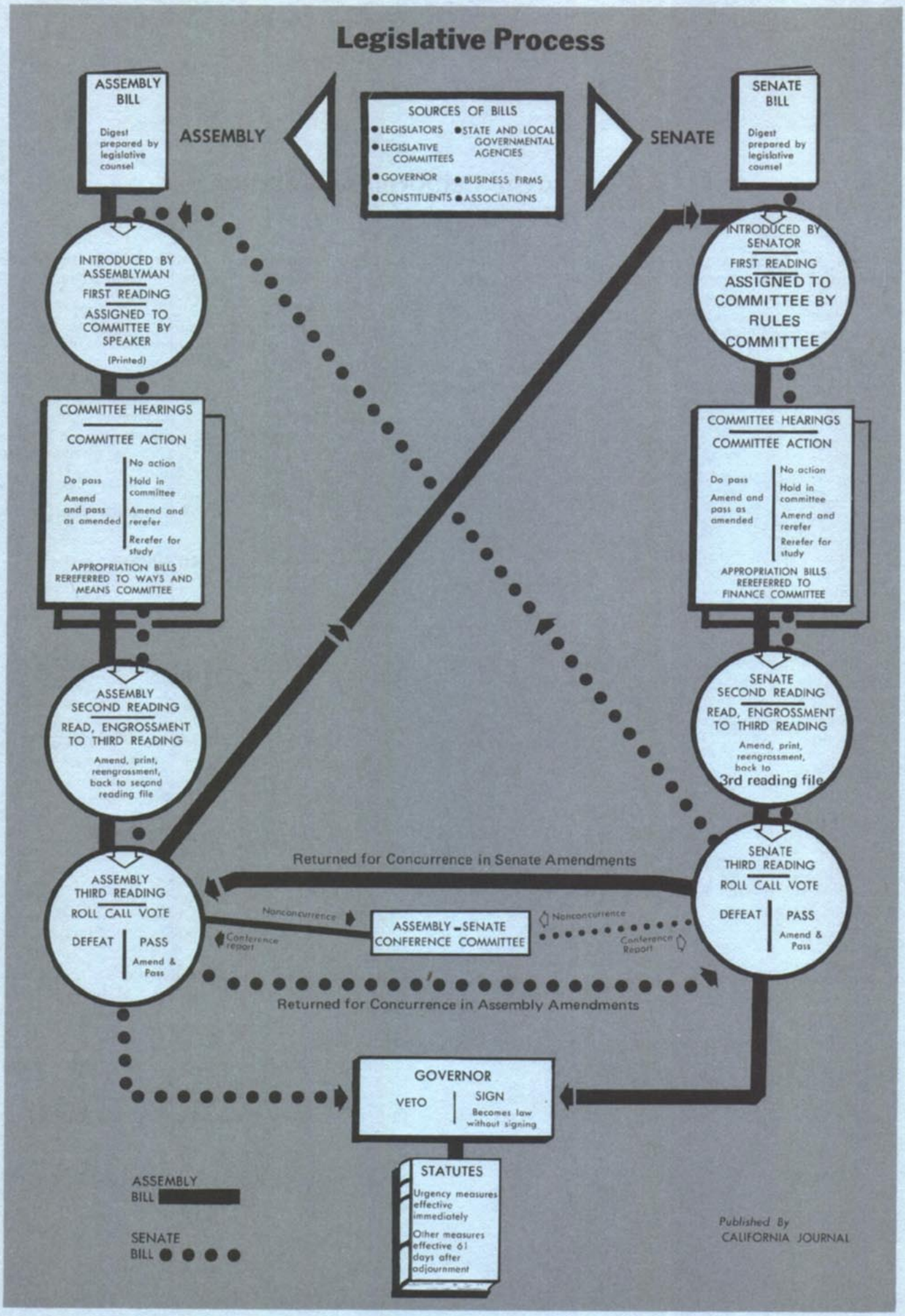

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This is very competitive with the present cost of electricity from fossil fuels, and the fossil-fuel cost is on the rise. It also competes with the cost of electricity from nuclear fuels. Desalinated geothermal water, however, is too costly for use as agricultural water without subsidy. So it may be that to develop both elements will require a cost-sharing joint production of water and power (Figure 2) in which the electric output is priced at market rates, thus reducing the cost of the water.

State's role

However it is done, the UC investigators are convinced that rapid and well-planned development will require a much more active role for the state. At present, there are two principal obstacles to more positive state action: those agencies that have geothermal responsibilities, particularly the state's Geothermal Resources Board, are severely restricted in staff and funding; and geothermal resources are located below federal, state, and privately owned lands controlled by several different agencies with different policies with regard to resource development.

The problems created by the variability in regulatory attitudes in federal, state, and municipal statutes towards the geothermal resource and its development are sufficiently serious to merit an early effort to coordinate them. The report suggests that the first step might be to call a conference of federal, state, and municipal authorities who, in association with technical experts from the public and private sectors, would seek to define the various legal problems connected with regulating the resource and attempt to develop some common standards that could later be translated into appropriate legislation at the various levels of government in California.

Another obstacle is the lack of quantitative information about the resource, preventing precise and reliable estimates of total potential, longevity, and seismic and subsidence hazards. Geologists claim that an extensive exploratory drilling program is essential to gather the needed data, but it is not clear who is going to pay for such a program. Utility companies suggest that they would be willing to do the drilling if they could charge some of the cost of research and development against their rate structure, as some Eastern utilities do for research into new ways to utilize fossil fuels. The only apparent alternative is a subsidized exploration program directed by the USGS or a state agency. There is also need, the researchers say, for a coordinated program of scientific information exchange. Although the authority to gather data was given in principle to the Geothermal Resources Board in 1967, the board has lacked the staff to perform this role.

Question of approach

There is far-from-unanimous opinion as to the role the state should fulfill in developing the geothermal resource, however, and the ultimate decision and action must rest with the Legislature and the administration. Major decisions loom ahead. At one extreme are some who believe there should be absolute state control of the development and application of this resource, as there has been in other countries. At the other extreme are those who say the state should only act to encourage private enterprise to develop geothermal energy at a rate consistent with the development of markets for the resource.

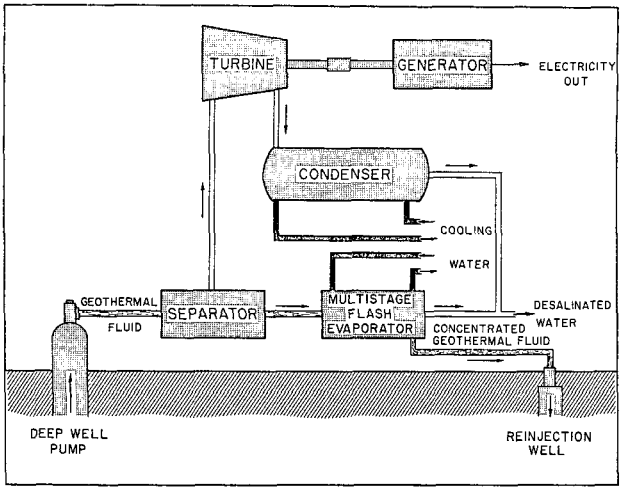

Figure 2
Schematic of a Combined Power and Desalinated Water Plant for Utilization of Geothermal Resources.

Whatever approach is taken, geothermal resources are now being sought in the Imperial Valley to supply electrical power and to replenish the Colorado River. The question arises as to whether random or planned development should be the rule. If planned development is favored by the state, prompt action by the Legislature and Governor will be essential. The authors of the UC study outlined several ways to end the confused regulatory picture that exists today. One would be for the Legislature to provide increased staff and funding to all those agencies currently involved in geothermal resources, and especially the Geothermal Resources Board. Alternatively, the Geothermal Resources Board could be given increased staff and authority through legislation to become *the* regulatory agency, with power to delegate control to other agencies as needed. Another way would be to establish a new state energy agency, whose purpose would be to regulate and coordinate the state's energy development in all forms, with, perhaps, a specific department concerned with geothermal resources.

Legislative staff now say that the Joint Committee on the Public Domain is preparing legislation to create a permanent, fully-funded, all-inclusive energy agency for California — a "one-stop" agency with geothermal energy as just one of its concerns. Inevitably, as this proposal suggests, the question of what the state should do about its geothermal resources raises the broader question of what the state should do to ensure that all the energy needs of its people are met while protecting the environment against unnecessary and irreversible damage. This, it appears, is the question the Legislature and the administration will be grappling with in the next several years.

Report Cited

The study referred to in this article is entitled, Geothermal Resources Development in California — Imperial Valley Potential, *prepared for the Joint Committee on Public Domain by the University of California, Riverside.*

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$13.6 Million Spent on Legislative Races in 1972; Congress and Senate Seats Cost $64,000 Each, Assembly $37,000

The new $64,000 question in California politics is whether you can afford that much to get elected, for last year it cost $64,000 on the average to win a congressional or state Senate election and more than half that to win in Assembly districts. In all, a total of over $13 million was spent in California on races for Congress and the state Legislature, an increase of 52 percent over 1970.

To some degree, the two-year increase reflects the spiraling costs of campaigning, but probably a greater factor is improved reporting of contributions and expenditures stimulated by the rigorous enforcement of reporting requirements by Secretary of State Edmund G. Brown Jr.

On the average, winners spent approximately twice as much as losers, a fact that led Brown to say that "money was an extremely influential factor in the 1972 election." Brown went on to say that the present system of campaign financing "gives an unfair advantage to candidates with money and almost forces candidates to accept large contributions from special-interest groups and lobbyists."

The high-rollers

An examination of the races where the largest amounts were spent does not refute that argument. However, incumbency appears to be a more important factor. In the most expensive legislative race in the state, in the 9th Senatorial District, Republican Senator Milton Marks outspent his challenger by a margin of 4-3, but his substantial 3-2 victory margin in the heavily Democratic district does not appear to have resulted simply from the expenditure differential. This is borne out by the fact that in the same part of the state incumbent Republican Congressman William Mailliard spent $50,000 less than Democratic challenger Roger Boas and won handily.

CAMPAIGN EXPENDITURES, 1972

	Primary	General	Totals
Congress	$2,516,752	$3,240,812	$ 5,757,564
Senate	474,973	1,680,335	2,155,308
Assembly	1,975,459	3,711,947	5,687,406
TOTALS	$4,967,184	$8,633,094	$13,600,278

CAMPAIGN EXPENDITURES, 1970-1972

	1970 Primary and General	1972 Primary and General
Congress	$3,210,860	$ 5,757,564
Senate	1,769,947	2,155,308
Assembly	3,964,556	5,687,406
TOTALS	$8,945,363	$13,600,278

On the other hand, in the most expensive Assembly race in the state incumbent Republican Charles Conrad was defeated by Howard Berman by nearly 15 percent, despite the fact that their reported expenditures in the general election were almost even. In this case, neither incumbency nor money appears to have been decisive. Rather, the changing constituency of the district and the issues of concern to the voters seem to have worked for Berman.

EXPENDITURES OF WINNERS

	Congress	Senate	Assembly	All Races
Primary*				
Amount	$1,460,515	$ 354,934	$1,177,371	$2,992,820
Number	85	40	156	281
Average	$ 17,183	$ 8,873	$ 7,547	$ 10,651
General				
Amount	$2,032,414	$1,105,161	$2,351,330	$5,488,905
Numbers	43	20	80	143
Average	$ 47,265	$ 55,258	$ 29,391	$ 38,383
Total	$ 64,448	$ 64,131	$ 36,938	$ 49,034

*Major party only

Major contributors

Although reporting of contributions is much improved, it still does not provide a perfect reflection of campaign contributions, since candidates do not have to report contributions under $500, except as a lump sum. In the case of the Teamsters, for example, contributions were made by the International Brotherhood of Teamsters, the California Teamsters Legislative Council, Vern Cannon, one of the Teamsters' lobbyists, several locals, and various officials. Using this method, each man or group could give under $500 with the total sum given on behalf of the Teamsters coming to thousands of dollars. A legislator is not required to report these contributions except as a lump sum from unspecified contributors.

Another loophole in the campaign-spending laws allows contributions under such non-descriptive names as "C-B Trust Account", which is used by James Garibaldi, who is a registered advocate for nine different private-interest groups; or "Special Account 'B' " or "Special Account No. 1", used by E. A. Long, a registered advocate for the California Council of Civil Engineers and Land Surveyors, and Western Harness Racing, Inc. Contributions were made by the law firm of Landells, Ripley, and Diamond for the California Bankers Association, while Lawyers and Clients for Good Government added to many campaign funds on behalf of the Trial Lawyers Association, a group that actively lobbies against no-fault insurance legislation.

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Other examples of confusing donor organization names included the Association for Better Citizenship (ABC) representing the California Teachers Association, and L.A.R.C. Trust Account which was funded by Los Alamitos Race Course. There is also the WFC Committee representing Wells Fargo Employees, the Evergreen Association for Boise Cascade, and Good Government Club for General Telephone Employees.

Incumbents, not surprisingly, were the biggest beneficiaries of the special interest groups. Winning incumbents reported that United for California, an Orange County-based association supporting conserva-

1972 GENERAL ELECTION CONTRIBUTIONS
Winners vs. Losers; Incumbents vs. Non-Incumbents

	Congress	Senate	Assembly	Total
Incumbents	$1,648,985	$1,179905	$1,972,576	$4,801,467
Non-Incumberts	1,645,173	697,896	1,947,850	4,290,919
Winners	2,185,296	1,315,639	2,635,851	6,136,786
Losers	1,108,862	562,162	1,284,575	2,955,600
Incumbent Winners	1,378,865	1,179,906	1,943,976	4,862,746
Non-Incumbent Winners	538,311	135,734	691,875	1,365,919

1972 GENERAL ELECTION EXPENDITURES
Winners vs. Losers and Incumbents vs. Non-Incumbents

	Congress	Senate	Assembly	Total
Incumbents	$1,512,318	$ 981,183	$1,699,799	$4,193,300
Non-incumberts	1,728,494	698,536	2,043,950	4,470,980
Winners	2,032,414	1,105,161	2,351,330	5,488,905
Losers	1,208,399	574,559	1,392,418	3,175,376
Incumbent Winners	1,512,318	981,183	1,674,687	4,168,188
Non-incumbert Winners	520,096	123,978	676,643	1,320,716

tive Republican and Democratic candidates, contributed 28 times in the Assembly, sometimes more than once to the same candidate, and even though amounts are not listed every time, the reported contributions total over $75,000. This same group is listed 10 times on the reports of winning incumbent Senators for over $43,000. The Teamsters are listed through one means or another 57 times on winning incumbent Assembly reports, and 11 times for the Senate. However, the amount of each contribution is listed in fewer than half the cases so that the total amount contributed is unknown. ABC is listed 24 times by winning incumbent Assemblymen for over $50,000, and nine times in the Senate for over $20,000.

1972 GENERAL ELECTION CONTRIBUTIONS BY PARTY

	Congress	Senate	Assembly	Total
Democrats	$1,468,763	$ 745,713	$1,978,106	$4,192,583
Republicans	1,657,083	1,139,409	2,572,042	5,368,534
3rd Parties	41,503	1,681	10,652	53,837
TOTALS	$3,167,349	$1,886,803	$4,560,800	$9,614,954

1972 GENERAL ELECTION EXPENDITURES BY PARTY

	Congress	Senate	Assembly	Total
Democrats	$1,534,225	$ 757,406	$1,773,846	$4,065,477
Republicans	1,624,765	921,214	1,927,014	4,472,993
3rd Parties	81,822	1,715	11,086	94,624
TOTALS	$3,240,812	$1,680,335	$3,711,946	$8,633,094

THE HIGH-ROLLERS

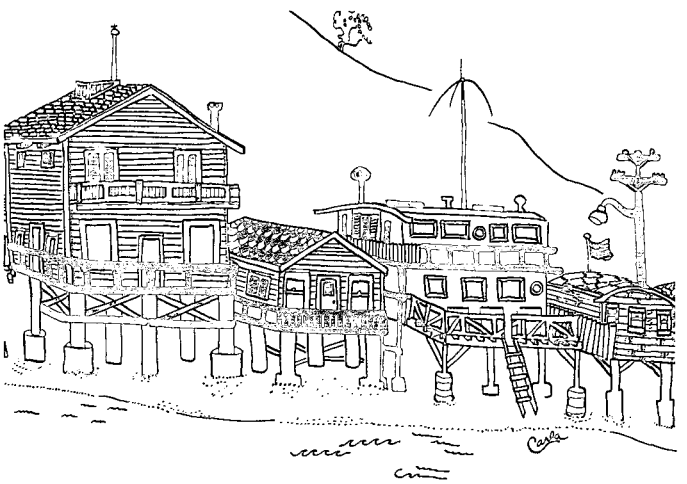
Expenditures

	District	Status*	Out-come	Amount Spent
CONGRESS				
Boas (D)	6	Non-inc	Lost	$205,607
Mailliard (R)	6	Inc	Won	149,030
Brown (D)	38	Non-inc	Won	135,832
McCloskey (R)	17	Inc	Won	118,235
Goldwater (R)	27	Inc	Won	109,679
Hannaford (R)	7	Non-inc	Lost	83,255
Knapp (R write-in)	17	Non-inc	Lost	82,735
SENATE				
Marks (R)	9	Inc	Won	$284,341
Pelosi (D)	9	Non-inc	Lost	211,091
Berryhill (R)	3	Non-inc	Won	123,977
LaCoste (D)	3	Non-inc	Lost	118,835
Nejedly (R)	7	Inc	Won	84,709
ASSEMBLY				
Keene (D)	2	Non-inc	Won	$97,264
Berman (D)	57	Non-inc	Won	92,961
Cory (D)	69	Inc	Won	90,473
Conrad (R)	57	Inc	Lost	89,087
MacGillivray (R)	36	Inc	Won	80,605
Boggess (R)	10	Non-inc	Lost	78,860
Antolini (R)	2	Non-inc	Lost	76,083
Dannemeyer (R)	69	Non-inc	Lost	75,639
Hart (D)	36	Non-inc	Lost	74,747
Boatwright (D)	10	Non-inc	Won	74,527

Contributions

	District	Status*	Out-come	Amount Spent
CONGRESS				
Goldwater (R)	27	Inc	Won	$121,498
Mailliard (R)	6	Inc	Won	113,750
McCloskey (R)	17	Inc	Won	117,539
Brown (D)	38	Inc	Won	94,896
Stark (D)	8	Non-inc	Won	91,972
Knapp (R write-in)	17	Non-inc	Lost	82,834
Stewart (D)	17	Non-inc	Lost	72,384
SENATE				
Marks (R)	9	Inc	Won	$291,042
Pelosi (D)	9	Non-inc	Lost	211,862
Berryhill (R)	3	Non-inc	Won	135,734
Schrade (R)	39	Inc	Won	123,756
LaCoste (D)	3	Non-inc	Lost	91,187
Deukmejian (R)	37	Inc	Won	88,646
Nejedly (R)	7	Inc	Won	80,476
ASSEMBLY				
Cory (D)	69	Inc	Won	$99,386
Priolo (R)	60	Inc	Won	89,717
Keene	2	Non-inc	Won	88,660
Boggess (R)	10	Non-inc	Lost	85,026
Berman (D)	57	Non-inc	Won	84,664
Antolini (R)	2	Non-inc	Lost	83,893
MacGillivray (R)	36	Inc	Won	80,605

*Incumbent or non-incumbent



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Student Voter Turnout Was High in California and Went Heavily for McGovern and Other Democrats

By Mike Freed

There were 2,655,000 California voters between the ages of 18 and 24 eligible to vote last fall in their first Presidential election, and something like 40 percent of them were concentrated on college and university campuses. Obviously, they had an unprecedented opportunity to affect the outcome of scores of local and state races and, to a lesser extent the statewide vote for President. Several commentators predicted, however, that many of the newly eligible voters would fail to go to the polls, thereby substantially reducing, if not eliminating, the impact of their age group on local, state, and national politics.

Nationwide, it now appears, only 48 percent of the 18-to-24-year-olds voted, but in California the turnout was much different — principally because California's large student population turned out at about the same rate, or higher, than older voters. Where students were concentrated in large numbers, pre-election registration drives produced registration figures as high as 90 percent, compared with the statewide figure for all voters of 76.7 percent. On election day, an estimated 72 percent of the registered student voters went to the polls, compared with the statewide average for all voters of 82 percent. Thus, as a result of the massive registration campaigns on campuses throughout the state, and despite the fact that the turnout of registered students was probably not as high as the turnout of other registered voters, the percentage of eligible students who voted was approximately the same as for eligible adults of all ages. Moreover, in several areas of the state where high turnout was coupled with heavy registration, student voters were clearly a major element in the results of local legislative races.

94 Precincts

The evidence behind these statements is to be found in a study of the student vote conducted by the University of California Student Lobby. The study began as a survey of how UC students had voted, but was expanded eventually to include 28 four-year campuses: all nine UC campuses, 12 of the 19 campuses of the California State University and Colleges, and seven private institutions. To isolate the student vote, the authors of the survey, with the help of county clerks, selected 94 precincts in which students made up 95 to 100 percent of the registered voters, producing a total sample of approximately 54,000 students.

Mike Freed is a student at UC Santa Barbara and participated in the student vote survey.

The students who voted in these precincts live in dormatories, fraternities and sororities, and student apartments. The study necessarily excluded commuter students not living in precincts with high concentrations of students. It therefore excluded several CSUC campuses with heavy commuter enrollments, as well as all community colleges. The fact that a high percentage of the students included live in dormatories predominantly occupied by freshmen may have distorted the results. However, when the voting patterns of these students were compared with those of students in student apartments, the dormatory students were found to be less liberal than those who lived in apartments, especially the juniors and seniors. But there is reason to believe that dormatory students are likely to be more liberal in their voting than students who live at home. So to a great extent these and other factors probably offset one another within the sample and do not significantly affect the results.

Student registration

In most student communities, the percentage of eligible students who registered to vote was higher than the registration percentage for the state as a whole. This was due mainly to the strong registration drives that were undertaken wherever there was a large concentration of students. In one week at UCLA, for example, 7,000 students were registered. Thus, while 76.7 percent of all eligible California voters were registered, on several campuses the figure ran as high as 85 to 90 percent.

Democrats reaped the greatest gains from the student registration. Statewide, students registered Democratic about three-to-one, and in some areas the figure was much higher. In some precincts in Isla Vista (the student community at UC Santa Barbara), for example, the registration ran as high as eight-to-one Democrat. The estimated statewide average for the three segments is as follows (the figures are slightly less than 100 percent because of incomplete reporting):

	UC Campuses	CSUC Campuses	Private Campuses
Democratic	67.0%	61.1%	63.1%
Republican	18.1	24.8	22.1
Peace and Freedom	1.5	1.4	0.7
American Ind.	—	0.3	0.1
Decline-to-state	12.5	10.5	13.5

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The high percentage of students who registered "decline-to-state", approximately twice the rate for all voters, may be partly attributable to the cross pressures at work within the student community. According to Dr. Rodger Davidson, Professor of Political Science at UC Santa Barbara, many students from Republican families are strongly influenced by the liberal atmosphere of the student community to challenge their parents' politics, but often they do not go so far as to register as Democrats. Another contributing factor is student cynicism about partisan politics generally, a cynicism that was not dispelled by the attempted and actual gerrymandering of campus communities in the spring of 1972.

Moreover, students, who have had little time to develop the party loyalties more characteristic of older voters, tend to be more issue-oriented, voting for candidates who best represent the students' views, regardless of party. Republicans will probably face an uphill registration battle among students for a long time to come, but individual Republican candidates can win strong student support, as some did last fall, if students perceive their positions on key issues to coincide closely with their own views.

Although the percentage of students who registered to vote was higher than that of registered voters generally, the turnout of eligible voters was lower. For the general population statewide, the turnout was approximately 82 percent of registered voters. The sample precincts for UC students revealed an estimated 72.4 percent turnout of registered voters. The estimated voter turnout for CSUC students was 71.9 percent; for the students at the private colleges the figure was 73.8 percent. Voter turnout was highest at Sonoma State College (89 percent), UC Santa Cruz (84 percent), and UC San Diego (81 percent). It was lowest at UCLA (67 percent), CSU San Francisco (63 percent), CSU Fullerton (65 percent), and CSU Long Beach (65 percent).

One factor that may help explain the relatively lower student voter turnout is the mobility of students. About 40 percent of those under age 26 reportedly change their residence each year, as compared with 15 to 20 percent of those over age 26. Many students who registered in April for the June primary graduated, transferred, or dropped out of school between then and November. Thus, even though their names remained on the voting lists, they simply were not there to vote.

How they voted

According to the figures compiled for the districts surveyed, students in California voted overwhelmingly for Senator George McGovern for President. The degree of support varied significantly from campus to campus, however. UC students voted 75.4 percent for McGovern and 23.3 percent for President Nixon, but among the campuses McGovern's majority ranged from 94.5 percent at UC Santa Cruz to 66.6 percent at UC Davis. CSUC students gave McGovern 62.4 percent of their votes and Nixon 35.4 percent; Sonoma State College gave McGovern the highest percentage, 83.6 percent, and Cal Poly at Pomona the lowest, 42.2 percent. Among the seven private institutions surveyed, Occidental and Stanford gave the strongest support to McGovern, 80 percent and 78.7 percent, while the lowest was 61.3 percent for Cal Tech students.

With few exceptions, students also favored the Democratic candidates in congressional and legislative races. In fact, in most of the precincts surveyed, Nixon received a larger percentage of the vote than did any other Republicans on the ballot, the only exceptions being the more liberal Republicans. For example, Senator Donald Grunsky, who now represents the most liberal UC campus, Santa Cruz, and the most conservative CSUC campus, San Luis Obispo, did better than Nixon at both. Another Republican, Senator Milton Marks, who campaigned on the campuses of UC San Francisco, the University of San Francisco, and San Francisco State, received a majority of students votes at all three; at UC San Francisco, Marks received the same 61 percent as McGovern. Assemblyman William T. Bagley similarly did well among students of Sonoma State College, as did Representative Pete McCloskey among Stanford students.

The student vote had little impact on the presidential election, but it had a significant impact on state and local elections. Clearly, the student vote determined the outcome of several races for state office, and helped

STUDENT VOTE IN SAMPLE PRECINCTS

SENATE RACES

Campus	Republicans		Democrats	
University of California				
UCLA	Stevens	16.8%	O'Neill	81.6
UCSC	Grunsky	8.6	Paizis	91.4
UCB	Miles	11.8	Petris	88.2
UCSD	Schrade	13.9	Gillis	86.1
California State University and Colleges				
Humboldt	Rodgers	22.6	Collier	77.4
San Luis Obispo	Grunsky	59.4	Paizis	40.6
Sonoma	Rodgers	27.8	Collier	72.2
Sacramento	McKinley	19.7	Rodda	80.3
San Jose	Hart	14.5	Alquist	85.5
Fullerton	Whetmore	32.2	Lacayo	62.1
Northridge	Cusanovich	27.0	Burke	73.0
San Francisco	Marks	55.6	Pelosi	44.4
Private Colleges & Universities				
USC	Taggert	27.0	Dymally	73.0
USF	Marks	57.6	Pelosi	42.4
Cal Tech	Richardson	31.1	Hart	68.9
Occidental	Harmer	21.5	Rifken	78.5
Santa Clara	Hart	14.5	Alquist	85.5
Claremont	Whetmore	30.6	Lacayo	69.4

ASSEMBLY RACES

Campus	Republicans		Democrats	
University of California				
UCSB	MacGillivray	3.8%	Hart	96.2
UCLA	Priolo	27.5	Diamond	72.5
UCR	Hunter	15.0	Ingalls	85.0
UCSC	Murphy	5.0	Faitz	95.0
UCD	Johnson	19.4	Shaw	80.6
UCB	Balen	13.0	Meade	87.0
UCI	Badham	17.4	Thorpe	82.6
UCSD	Stull	16.5	Garvin	83.5
California State University and Colleges				
Humboldt	Antolini	21.2	Keene	78.8
San Luis Obispo	Nimo	58.0	Williams	42.0
Chico	Johnson	29.5	Shaw	70.5
Sonoma	Bagley	44.0	Moore	56.0
Sacramento	MacLean	19.1	Greene	80.9
San Diego	Barnes	22.6	Kapiloff	77.4
San Jose	Browne	18.6	McAlister	81.4
Fullerton	Briggs	31.8	Shipkey	68.2
Northridge	Cline	30.4	Gallagher	69.6
Private Colleges & Universities				
USC	——	—	Greene	100.0
USF	Seeba	11.4	Foran	88.6
Cal Tech	Lanterman	38.3	Ridenour	61.7
Occidental	Collier	20.3	Regnier	79.7
Santa Clara	Fargher	23.9	Vasconcellos	76.1
Claremont	Lancaster	28.7	Axelrod	71.3
Stanford	Hayden	23.6	Friar	76.4

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Campuses Surveyed

The precincts surveyed in this study of the student vote were adjacent to the following campuses:

University of California Campuses:

Santa Barbara	Riverside
Berkeley	Irvine
Santa Cruz	San Diego
Los Angeles	San Francisco
Davis	

California State University and Colleges:

Humboldt	San Jose
San Luis Obispo	Fullerton
Chico	Northridge
Sonoma	San Francisco
Sacramento	Pomona
San Diego	Long Beach
Hayward	Bakersfield
San Bernardino	Fresno

Private Universities and Colleges:

University of Southern California
University of San Francisco
California Institute of Technology
Occidental College
University of Santa Clara
Claremont College
Stanford University

make other races extremely close. Three first-term Assemblymen, Democrats who captured seats previously held by Republicans, may owe their election victories to students. Republican Assemblyman Frank P. Belotti, who first won his 2nd Assembly District seat in 1951, announced his intention to retire at the end of his term in 1972. Barry Keene, a Democratic attorney from Santa Rosa who lost to Belotti by only 4.4 percent of the vote in 1970, decided to run for the seat again, and captured the seat by 3,000 votes with the help of 11,000 students at Humboldt State University and the College of the Redwoods. Humboldt State voted approximately 78.8 percent for Keene, probably the difference in the election.

At the opposite end of the state, 32-year-old Democrat Lawrence Kapiloff upset 66-year-old Assemblyman E. Richard Barnes by fewer than 3,000 votes. Barnes received 43 percent in his losing effort in 1972. The vigorous campaigning of Kapiloff, coupled with his overwhelming support from students at San Diego State, from whom he received a 77.4 percent majority, won him the election. Another Republican seat went to Democratic candidate Walter Ingalls. Republican Assemblyman W. Craig Biddle, who gave up the seat to run for the state Senate, had won in 1970 with 63.5 percent of the vote. In 1972, conservative Republican Bob Hunter was beaten by Ingalls by 12,000 votes. Ingalls received 53.3 percent of the district vote, but at UC Riverside Ingalls received 85 percent of the student vote.

The student vote at other campuses came very close to producing upsets in three more districts. In Los Angeles, Republican Senator Robert S. Stevens narrowly defeated Democrat Katherine O'Neill by 3,000 votes, stopping her from becoming the first woman state Senator in California history. O'Neill received 81.6 percent support from students at UCLA, but was defeated because 5,000 potential votes went to the Peace and Freedom Party candidate, Ben Pererick. In the 36th Assembly District Democrat Gary Hart, with strong support from the student community at UC Santa Barbara, almost defeated incumbent Assemblyman W. Don MacGillivray. Hart endorsed the Marijuana Initiative and the Coastal Initiative and opposed the Farmworkers Initiative, making himself very popular with the students — to the extent that he received 96.2 percent of the student vote at UCSB. In one precinct, Hart received 405 votes to 7 for MacGillivray, whose stands on the three initiatives were just the opposite of Hart's and the students'.

In northern California, students at UC Davis and Chico State University overwhelmingly supported Democrat George Shaw over incumbent Assemblyman Ray E. Johnson. Although Shaw received 80.6 percent of the vote at UC Davis and 70.5 percent at Chico State, Johnson was able to survive with 50.3 percent of the total district vote, thus winning the election by 700 votes. (Two years earlier, Johnson had received 64.2 percent of the vote, winning by over 24,000 votes.)

In each of these cases, the candidate who won heavy support from the students had campaigned extensively on the campuses and had addressed himself much more to student interests than did his opponent. In addition, in two of the races the unpopular incumbents, Senator Stevens and Assemblyman Johnson, were known by students to have been highly critical of the UC campus in their district and UC students. Probably the most important factor in the Keene, Kapiloff, Ingalls, O'Neill, Shaw, and Hart campaigns, however, was that none of the Democratic candidates took the student vote for granted. They did not assume that somebody else would register the voters. Nor did they presume that students would favor them for their Democratic party label.

The propositions

The state issues of primary importance to students were Proposition 19 (the Marijuana Initiative), Proposition 20 (the Coastal Initiative), and Proposition 22 (the Farmworkers' Initiative). Of the 94 precincts surveyed, every precinct passed Propositions 19 and 20, and defeated Proposition 22. Again, UC Santa Cruz students were the most "liberal" voters of those surveyed, giving the Marijuana Initiative 96.2 percent of their vote, the Coastal Initiative 98.7 percent, and voting 96.6 percent vote against the Farmworkers' Initiative. All of the UC campuses gave at least 70 percent of their vote to the Marijuana Initiative, and at six of UC campuses 80 percent or more of the student vote went to it. Nine of the twelve State University and Colleges surveyed gave the Marijuana Initiative 70 percent of the vote or more (Sonoma State was highest with 85.5 percent), and six of the seven private schools surveyed gave the Marijuana Initiative 70 percent or more.

Readers who are interested in a more detailed description of this survey of the student vote in November 1972 may write for a copy of The California Student Vote, 1972, *prepared by Bruce Fuller, Mike Gibson, and Linda Bond, which is available from the UC Student Lobby, P.O. Box 24105, Los Angeles, California, 90024. The charge is $1.50.*

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Governor Ronald Reagan Presents His Annual State of the State Message

The State of the State Address, the text of which follows, was delivered by Governor Ronald Reagan to a joint session of the California Legislature on January 11, 1973.

This is the seventh time we have met together under these circumstances. The occasion that brings us together is part of the permanency of our institutions — institutions based on collective facts and faith. It is, for example, a fact that I am addressing you. It is faith that makes me think you will listen. Some of you are participating for the first time as a result of the recent election, testimonial to the biblical observation: "Many are called, but few are chosen." All of us are saddened by the absence from your ranks of three long-time members. The passing of Assemblymen Frank Belotti and Carley Porter and Senator Tom Carrell represents a great loss to California. Those of us who knew and respected them as colleagues and friends have in addition a sense of personal loss. We will miss them very much.

Usually it is my obligation to outline the challenges our state faces and to propose solutions. This year, it is also my pleasure to list accomplishments we have achieved together on behalf of the people we represent. We have demonstrated that the "system" can work — if we work together — in the bipartisan spirit the people have a right to expect.

Initiatives — One challenge growing out of the last election is the matter of "initiatives" on the ballot. Let me hasten to say we should not question the right of the people to take such direct action. But the number of such initiatives in the last election and the confusion of the voters as a result of advertising claims that bordered on outright dishonesty brings to us the problem of finding some way to preserve the people's right to the initiative with the assurance they will have all the facts they need in arriving at a decision.

Early in this century an American citizen said: "In all times, in all lands, public opinion has had control at the last word. Public opinion is based on information and belief. If it is wrong, it is wrong because of wrong information and, consequently, erroneous belief. It is not only the right but the obligation of all individuals and organizations who come before the public to see that the public has full and correct information."

Are 22 ballot propositions too many? Or is one initiative too many, if we do not provide the people with all the facts, pro and con, concerning the initiative?

We have acted to permanently ease the tax burden . . .

Tax Relief, School Finance — For the first time in four years, we can speak of tax reform and school finance in the past tense. The legislation you passed and I signed a few weeks ago fulfills our joint pledge to provide California's home-owners some of the tax relief they deserve. California homeowners this year will receive a substantial reduction in property taxes because of their increased exemptions. And there will be further reductions through the rollback of school tax rates and the local tax ceiling — some $600 million all told.

Together, we have acted to permanently ease the tax burden of California's home-owners, not just this year but in the year ahead. This legislation means the greatest single-year increase in state school funding ever provided. The program we enacted simplifies an outmoded school-aid formula and assures sufficient financial resources to give all students in California a quality education, no matter where they live.

Welfare Reform — Together, a year earlier, we put into operation the most comprehensive welfare reform ever undertaken by any state. By doing so, we are bringing welfare costs and caseloads under control. At last count, there were a quarter of a million fewer people on welfare than when we started. At the same time, we have been able to provide better benefits for those who truly need our help — our senior citizens, the blind, and the disabled.

All of this, I hope you agree, represents the most significant legislative achievements of the past quarter century in California. A majority of legislators in both parties, working with the executive branch, ignoring philosophical differences and concentrating on our areas of agreement, brought welfare under control. Working together, we achieved the tax and school reforms we sought so long. And the people of California — whose interests we are elected to serve — will reap the benefit.

Economy in Government — In these past six years, the state government has financed more than $2.5 billion in direct tax relief, and $1 billion will be added to this year's budget for the new tax relief and school support. Two-thirds of the state's budget goes back to cities and counties for local programs. We have undertaken major reorganizations to provide better service

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at lower cost. And these economies are being recognized. For the first time in 31 years, California's bonds are rated Triple-A. Treasurer Ivy Baker Priest tells me this will save millions of dollars in interest costs. We must be prudent in issuing new bonds to prevent new obligations from jeopardizing the state's credit.

We know that government itself becomes a drag on the economy, a barrier to prosperity — indeed history confirms that when taxes consume a third or more of a nation's income that nation does not long survive. The most recent studies show that federal, state, and local taxes now take 43 percent of every dollar earned. That is too much. We should reduce the state's share of that burden. Government must never be bigger than absolutely necessary in size, in cost, or in power.

. . . a blueprint for a better California

While we are pleased with our progress, we have not finished the job of reform and re-direction. To complete the streamlining of California's state government, some sweeping reorganizational plans and innovative new approaches will be proposed this year. Each reform, each innovation is part of a blueprint for a better California.

A More Prosperous Economy — We seek a prosperous economy, with equal opportunity for all our people. Only the creative energies of people at work within our competitive enterprise system can assure lasting prosperity. An estimated 200,000 new jobs must be created annually between now and 1980 just to maintain the existing level of employment. So we must continue to encourage balanced expansion of California business and industry. The California Space Shuttle Committee headed by Lieutenant Governor Ed Reinecke was instrumental in securing the space project that ultimately will mean thousands of jobs in California's great aerospace industry. The Department of Commerce has stepped up its activities to encourage more consumer oriented industries to locate here. Efforts are being made to expand export markets for our agricultural and industrial products, to stimulate growth of the tourist industry. Every $1 million of exports generates 80 new jobs.

Farm Labor — Because agriculture is our largest industry, I believe we must also again work for a secret ballot for farm workers in union representation elections as part of an effective agriculture-labor relations law.

Department of Manpower — A year ago, we urged that California come to grips with what has become a maze of governmental manpower programs. Although our unemployment rate is lower than it has been for 2½ years, too many potentially productive Californians are still jobless. Reflecting the findings of our Manpower Policy Task Force, we propose:

- A program to streamline job finding and placement services.
- A system of greater incentives to create new jobs in the private sector. This will be geared to finding jobs for displaced workers with marketable skills and to helping the disabled and disadvantaged become employable through rehabilitation and training.

We do not propose pouring more tax funds into uncoordinated ineffective programs. Instead, we want to consolidate all manpower and vocational rehabilitation efforts in the Health and Welfare Agency into a single Department of Manpower — a department that will develop a comprehensive statewide program for effective coordination of existing state and federal projects. The goal is not make-work projects or handouts, but jobs — permanent jobs in the private sector, because it is the private sector which must absorb most of our growing work force and which, incidentally, provides the revenue to support government at all levels.

There are those who suggest we solve our economic problems by a form of income redistribution. Such a policy is self-defeating. The better way is to increase the size of the pie to provide both more slices and bigger slices.

California Job Creation Program — Our pilot program, "California Work Experience", for able-bodied recipients will be expanded this year to 35 designated California counties. Augmenting these efforts, you will be asked to pass legislation designed to help create new and expanded independent business enterprises through a broader program of state-guaranteed loans and managerial counseling. This will incorporate activities of Cal Job in a new and decentralized structure we call the California Job Creation Program, located in the Health and Welfare Agency. It will have the funds and capacity to provide seed capital and technical assistance to small businesses. It will be a catalyst to create new employment.

We have a surplus in the neighborhood of $850 million . . .

Tax Reduction — Possibly the single greatest barrier to economic growth is excessive taxation. California must never go the way of states which drive away job-producing industries through high taxes and excessive restrictions. When the state collects more in taxes than needed for essential programs, the surplus should be returned to the people who paid it. In 1970, there was a 10 percent rebate and, last year, every taxpayer received a 20 percent income tax credit because of the one-time withholding "windfall".

As a result of continuing economic growth, the tax reforms and savings we have made in welfare and other areas, California's financial condition is the best it has been for 15 years. Controller Houston Fluornoy advises me our cash flow is such that it may even be possible to go through the present fiscal year without the usual temporary borrowing from various state funds for operating expenses.

Instead of a massive deficit requiring higher taxes or program cuts, a situation we faced six years ago, we have a surplus this year in the neighborhood of $850 million, and that is a very nice neighborhood. While there are possible philosophical differences as to how best to return this money to the people who paid it in the first place, I am sure there is no disagreement that it should be returned. I look forward to working with you to achieve this end. In addition to this one-time refund, I anticipate working with you on a program for permanent tax reduction.

An Educated Population — We want an educated California. To find their place within society and a productive career, our young people must be prepared through

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realistic and effective education. More dollars are not the total answer. In San Francisco, average reading scores are down, although it spends half again as much per pupil than does Los Angeles, where reading scores are up.

There must now be a total commitment to education that produces results. Only when education has comprehensive and defined goals and objectives, supported by citizens who actively participate, and when there is accountability, will schools be able to guarantee effective education.

We have given education the tools to do the job. We are strengthening kindergarten through grade three to insure that all youngsters acquire the basic skills necessary to succeed in schools. We have worked together for a sensible approach to bilingual education. Too often in the past, children who do not speak English as their first language have been treated as less intelligent and have not been given the tools they need to learn. This program will help these youngsters achieve their full potential.

Post-Secondary Education — California has a great system of higher education. And the state is providing record financial support to maintain that excellency in all segments. Special notice is due our 19 state university and college campuses for working to make education more effective, less time-consuming for students, and less costly for our citizens.

States across the nation can no longer totally finance higher education without the aid of those who directly benefit. Tuition is necessary. However, it need not be a hardship. California is meeting its commitment to provide equal opportunity for post-secondary education through student loans, work-study, and grants. Six years ago, $5 million was budgeted for scholarships and loans. This year, the budget will provide $37 million — almost seven and a half times as much. But more than money is required to improve our educational programs for the economically disadvantaged. We must have earlier identification of future students for post-secondary education — as early as the ninth grade.

To help meet the needs of youngsters whose career goals do not include college or university study, we are funding a pilot program of occupational grants to enable these young people to pursue technical training.

During this time of criticism and change in higher education, we must all remember that there are two values on which society cannot compromise: research must keep pace with what society needs to know, and teaching must have equal status with research.

We will offer new and far-reaching reforms . . .

A Healthier California — We seek a healthier California. We have the obligation to insure public protection in the quality of health care received, to insure reasonable cost for that care, and to recognize the individual rights and responsibilities of the health-care professionals providing that care. In subsequent messages, we will offer new and far-reaching reforms:

- To consolidate health facility licensing, hospital planning, health-cost review by eliminating overlapping and obsolete functions in these areas.
- To bring about a better distribution of health care facilities through effective planning to insure that all our citizens have access to quality health care at a price they can afford.

Catastrophic Health Insurance — I look forward to working with you to free middle-income working citizens from the threat of a disastrous illness that could leave them bankrupt. This is the single greatest health need of the majority of California's working citizens.

Expanded Community Mental Health Program — California's Lanterman-Petris program has enabled our state to move away from the outmoded system of "warehousing" the mentally ill and retarded. To carry forward this humanitarian approach, this year we will propose a major long-range expansion of this concept of community-based treatment.

Department of Health — Our reorganized Department of Health will consolidate into one administrative unit the Departments of Public Health, Mental Hygiene, and Health Care Services — along with certain licensing functions and the social services now handled by roughly 25 percent of the personnel in the Department of Social Welfare. These employees are being transferred to the Department of Health. These steps, already approved by the Legislature, provide a more logical grouping of inter-related responsibilities involving health and social service needs.

Department of Benefit Payments — This done, the remaining operations of the Department of Social Welfare will be exclusively fiscal. We propose to consolidate all "banking" functions of the Health and Welfare Agency into this department and reorganize it as the Department of Benefit Payments. By eliminating duplicate layers of supervision, this consolidation should produce significant savings on management costs. By centralizing fiscal staffs and functions, it will strengthen the state's ability to audit for waste and fraud.

An efficient California means consumer laws . . .

We seek more efficient government. The state recently saved 9.7 percent on a purchase of alfalfa hay for the correctional system's dairies. I only mention this unusual item to emphasize our intent to squeeze every penny of value from every tax dollar. A major purpose of the Local Government Reform Project is to streamline and eliminate if feasible some of the multiple layers of government that may be costing our people too much.

Consumer Protection — An efficient California means consumer laws to assure that our citizens are protected against the unscrupulous few who profit off shoddy goods and services or by exploiting unsophisticated consumers. No-fault insurance, which we suggested a year ago, has been debated, analyzed, and thoroughly considered.

We must now act to give our people the benefit of a no-fault auto insurance system that best serves their interests.

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Department of Transportation — A single Department of Transportation, consolidating the Departments of Public Works, Highways, and Aviation, becomes operational this year — another example of bipartisan cooperation. Work already is under way on a statewide plan for the most efficient, convenient, and balanced combination of transportation systems. We can be proud that since 1966 we have reduced our traffic fatality rate per 100 million miles of travel from five deaths to 3.6.

. . . a separate message on the environment

A Cleaner Environment — We seek a cleaner environment, sufficient open space, the preservation of unique scenic resources — not merely for ourselves, but as a lasting legacy for our children.

Our state is involved in many far-reaching activities to clean up the air and water, to protect the ecology and make more efficient and well-planned use of the magnificent variety of land and sea we have in California. We are budgeting funds to help local air pollution districts develop effective control programs. Our new-car smog-control standards are the nation's strictest. And this year, California becomes the first state to require assembly-line automobile testing in the battle against smog. In the South Coast Air Basin, emissions of hydrocarbons have been reduced about 25 percent since 1966. And we are moving to equip older-model cars to control these emissions, as well as oxides of nitrogen, the third major element in smog.

Vehicle Maintenance Inspection — A Task Force we appointed has recommended, with support of the Air Resources Board, that smog may be further reduced by requiring that all automotive tune-ups guarantee efficiently operating emission control devices. We will offer legislation to include this concept — effective first in the South Coast Basin where the problem is most actue.

Forest Practices — We have acted together to preserve California's wild rivers and to deal with our solid-waste problems. The State Water Project is nearing completion and a 67-mile California Bikeway has been opened along its Aqueduct. California still needs a balanced forest practices act. We must work with Congress to close the Minarets Corridor to protect the John Muir Trail from unnecessary highway development.

Time prevents mentioning all that we are doing and still must accomplish. We will have more to propose later in a separate message on the environment.

Coastal Commission, Energy Needs — We hope to work closely with the state and regional commissions the voters have created to protect the coastline. Our Coastal Area Plan already completed offers an excellent starting point from which to effectively accomplish this.

We must keep in mind that man, too, is part of the ecology. There is an urgent need to construct environmentally protected nuclear power plants. The alternative — within a few short years — is a massive shortage of the energy and electric power we must have to heat and light our schools, hospitals, and homes, to fuel industry.

California Ecology Corps — One program, the California Ecology Corps, has been especially effective in protecting the environment and providing useful work for young men seeking constructive employment. This year, we will ask your support for a significant expansion of the Ecology Corps to give this opportunity to additional young men. Every tree they plant, every forest fire they help subdue, means a better environment for future generations.

Our most important goal must be a safer California . . .

These are desirable steps. Yet our people cannot enjoy a cleaner environment or economic prosperity without greater assurance of their personal safety. So our most important goal must be a safer California.

Earthquake Safety — The Earthquake Council I appointed last year has recommended a series of actions to minimize loss of life or property in these natural disasters. We are implementing these recommendations, including funds for additional seismic investigations.

The building in which we are meeting has been called potentially unsafe. Rather than abandon this historic structure, I believe we should make the Capitol Building earthquake-safe, suitable for the uses it has served for a century.

Capital Punishment — We must strengthen law enforcement. Public opinion is firm on this subject and far ahead of some of our courts. In November, the people of California gave us a mandate to restore capital punishment. We shall ask you to pass laws to carry out this mandate, including one to make the killing of a law officer mandatory first-degree murder.

Our system of justice also must guarantee that when criminals are convicted of crimes involving use of firearms, they will go to prison and stay there until they are no longer a menace to society.

Protection of the law-abiding must be the main priority of our parole and probation policies.

Our Select Committee on Law Enforcement problems will soon offer other recommendations. A Master Plan for Judicial Process has been formulated, to make courts more efficient.

Juvenile Justice — With the age of adulthood reduced to 18, it also is time to consider changes in our juvenile justice system. A recent escape from one detention facility involved a 17-year-old accused for murder, who had a record of 15 arrests. The juvenile justice system is not designed for such offenders. We must find other ways to isolate and deal with the most vicious of the young criminals who terrorize our schools and urban areas.

Correctional System — I am sure we are agreed, however, justice must be tempered with compassion. The comprehensive drug-abuse treatment plan we sought, and you enacted, will permit us to divert the casual drug-user from the criminal system.

Shortly, we will propose a major re-direction of the state's correctional system. The phase-out of San Quentin and construction of smaller maximum-security facilities is part of this. We must take similar steps in the juvenile corrections program. Under our plan, the

(Continued on page 71)

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Senator George Moscone Offers Another View of the State of the State

BY GEORGE MOSCONE

In order to provide readers of the California Journal *with a different perspective of the state of the state, Senate Democratic Leader George Moscone, an announced candidate for Governor in 1974, was invited to respond to Governor Reagan's January 11th address. Senator Moscone's response follows.*

Reflecting on the words "State of the State" in terms of the Governor's annual message, one conjures up an image of a message that gives both an accounting of the state's position and a forecast of what the future holds. The public has the right to expect, at the very least, a suggestion of what can and should be done to improve the quality of life in this state.

One hopes the state's Chief Executive will give legislators and the public a frank appraisal of not only what is right in state government, but what is wrong as well. When the state's citizens are troubled over daily difficulties for which government is responsible, those problems ought to be met head on in a State of the State speech.

Admittedly, no single speech can provide all the detailed suggestions for improvement, legislation or explanations of why the state's condition is less than rosy. But a State of the State speech *can* provide a design or blueprint for the future.

To construct such a design a Governor and his staff ought to include firm executive input for the crucible that the Legislature is. They ought to recognize the legitimate separation of powers, but at the same time provide a leadership that springs from the special link a Governor holds with the electorate.

While a State of the State message cannot say everything to everybody, it is not a time for rhetoric alone.

It is my opinion that this speech fell especially short of the goals I would hope for; and, to avert the suggestion of partisan bickering, I would offer some specific rebuttal.

Education

The Governor puts behind us, apparently for all time, the problems of school finance. He indicates that the new school aid formulas "give all students in California a quality education, no matter where they live." That kind of high-handed overview is an empty promise, devoid of the facts. We read continually of California's students' less-than-average performance in testing programs, of the fact that this state has now slipped to 21st among the states in numbers of dollars spent for each student in public schools. While it is not a known fact that unlimited amounts of money result in better education, it is a well-established fact that lower class sizes do mean more individual instruction and better learning. More money begets better teacher-student ratios; it means more intensive ferreting out of those who have problems, for instance, in reading.

The new school finance formulas, it is generally agreed, do not move toward solution of the inequality of financing education between the various districts in California. The Governor seems to admit that the *Serrano v. Priest* decision will not be his to handle, that his successor in office will have to cope with that one. If, before he leaves office, the courts hand down a decision that is unpopular either financially or legally, the Governor has left himself a way clear for a favorite target: criticism of the courts when their decisions counter his. In response to the Governor's stated belief that all students can now get a quality education, I would only ask the parents of our students to reflect on what kind of instruction their children now receive in school.

Higher education

The Governor, in his State of the State address, talks about maintaining a great system of higher education. However, under the system that has developed, it is not good enough to say simply that the University and State University systems are "great" without referring to the state's role of budgetary support.

And it is totally hypocritical to state within the same paragraph that higher education enjoys "record financial support" and then say that it is "less costly for our citizens." Where is the mention that "deferred maintenance" now exceeds $5.3 million? Where is there discussion of the University system's inability to compete for the top faculty that would earn it an "excellent" rating? Where is the admission of the 20 percent cut in library funds when student utilization rose 20 percent? Or a discussion of the marked increase in student-faculty ratios?

Now, it may be that the state is forced to make these budgetary and policy changes in its support of higher education. And if it is so, that option ought to be presented to both the Legislature and the people. But the State of the State message should not be a vehicle for glossing over those problems.

In short, where we expect programs we get platitudes.

Health care

This message gave no design or direction to the Legislature regarding present problems in health care.

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The Governor talked about "a healthier California", and health care that all citizens can afford. But he did not even nod in the direction of one of the basic fears that plagues Californians — that the high cost of illness or accident may wipe them out financially. Again this year, as last year, the Governor briefly discussed catastrophic health care. But this year, as last, will he fail to even attempt to move legislation in this important area? The Governor's statement that "catastrophic care" is the single greatest health need of the majority of California's "working class" is the most superficial assessment possible. It is simply only one of the areas where the loyal opposition has responded with innovative ideas. Health care is not only for those who have "one-time" costs of more than $8,000, but for those who want full health care for all members of their families.

There is small comfort in the State of the State address for those who have found ruination in truly catastrophic situations, but there is even less hope for those thousands of other families who have tried to cope with the copayments, deductibles and exclusions that are found in the small print of their insurance policies. There is precious little relief in the address from problems that affect the greatest number: the numbing realization, most often at income tax preparation time, that "insurance" companies shoulder an average of only 37 percent of the financial load and the "insured" is left to pay the remaining 63 percent of the tab.

The Governor's notion that the "rights and responsibilities" of health care professionals deserves protection is plainly evident in the State of the State message. His protection of the status quo in a chaotic non-system of health care delivery is countered by constituent mail and word-of-mouth complaints that my colleagues and I have received. Government and its questionable dealings with private health care systems actually feed the skyrocketing costs and uneven delivery of health care in California. Somehow we have failed miserably to provide a single decent quality of health care for the people of California. Those who think health care is a right find the cost can be astronomical. Without asking the Governor to dwell on our failures, I think he at least should be asked to point out that severe problems do exist and that they demand solutions.

Mental health

Governor Reagan says the state is moving away from the concept of warehousing the mentally ill. Well in advance of the State of the State message, it was pointed out, and not denied by the Administration, that the mentally retarded at Pacific State Hospital had been forced to lie on the floor because of the heat in the wards, which often reached 108 degrees. In addition, it was reported that flies from nearby agricultural activities swarmed through the hospital, irritating patients who are often unable to brush the flies from their faces. With its failure to provide air conditioning or fly-proofing, it might be suggested that the state some time ago got out of the business of "treating" the mentally ill and mentally retarded but, somehow, it has continued to keep its warehouses. One awaits the Governor's suggestion of how this activity will be assumed by local governments. One would suspect that local government would be able to do the job better, but one also wonders if the state government will provide the wherewithal to do what is necessary in the name of human decency. If it does not, then that core of less fortunate mentally ill and mentally retarded will become the wards of the counties, whose care must fall to the local property tax payer.

The Governor hints that he will provide a long-range plan, and, while one hopes for the best, can we expect a plan that will have more humanitarian aims than what we have now?

Consumer protection — no-fault insurance

The Governor suggests it is necessary to protect the consumer from shoddy products. I submit it is also necessary to protect the California motorist from no-fault insurance plans that are drawn without regard to consumer protection. No-fault, as the Governor points out, has been debated, analyzed, and thoroughly discussed. Where is the Governor's pledge to reduce premiums if the cost of doing business for insurance firms is lowered? Where is his promise to the people that no-fault policies must contain protections from unscrupulous and discriminatory practices? The public has been led to believe that no fault is a panacea for the ills of accident litigation and premium-cost increases. The public deserves a promise from Governor Reagan that he will work for legislation that will provide them with what they have been led to expect.

Department of transportation

The Governor talks of consolidating the Departments of Public Works, Highways, and Aviation. But does he mention the vast sums of money devoted almost solely to the building of more and wider roadways? Does he question the use of highway trust funds? This special interest fund has helped choke the inner-city inhabitant, vitally affecting the living patterns of millions of working men and women.

Vehicle maintenance inspection

We are told by the Chief Executive that emissions of hydrocarbons are down 25 percent in the South Coast Basin. In the next breath we are again told that the automobile is chiefly responsible. Those of us who are listening cannot help but reflect on the Governor's statement to a group of automobile-oriented businessmen in Sacramento that the automobile is "the last bastion of freedom." To those who live in Riverside County, can there be any doubt that smog is worse now than it was six years ago, that the motor vehicle is the chief culprit, and, lastly, that the problem is of such intensity that it demands forthright action? I submit there can be no such action on the state's part until the Governor admits all is not well; nor is it likely to get much better by itself.

When one nears the end of a second term in office it must be painful indeed to realize that many of the problems existing at the start of the first term linger

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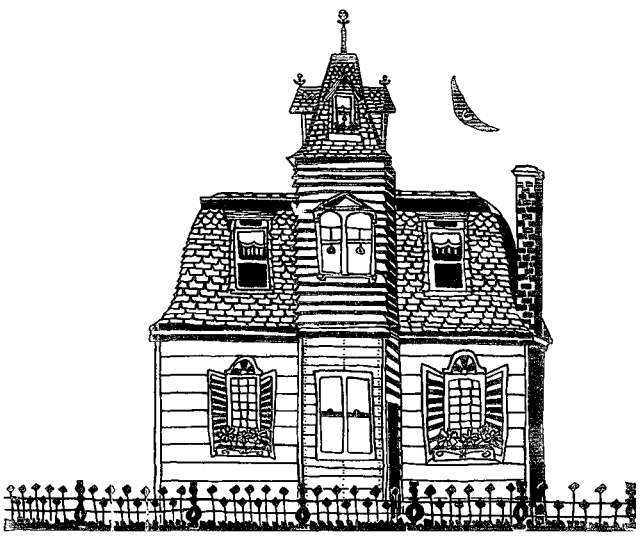
on. Perhaps it is beyond the capabilities of one man's leadership, dedication, and forethought to reverse what is wrong with the quality of life in a state. Perhaps in assuming the office he finds that the budget cannot be slashed, that crime cannot be cut, that the state cannot afford to take an equal share in the financing of public education. Though it may be the most painful of admissions, I believe it is incumbent on the person who promised those things, and more, to admit that they have not been accomplished and either concede that the underlying causes are so great as to defy solution or suggest an innovative solution to what bothers us.

But the twilight of a political career may be the wrong time for those of us who are dissatisfied to demand an accounting of the promises and the deliverances. To categorize where we, collectively, have failed in meeting the standards sought by the people may be asking too much. Certainly no one man, though he may represent state government as its chief executive officer, can shoulder the blame alone. Some would offer the argument that a State of the State message with its wide public dissemination is not the proper forum for a Governor to confess his faults and the failings of those of us in public service.

However, I believe the public has a right to be given the truth, though it may be tinged with pain. It has the right to demand proposals that offer potential solutions.

I submit that the State of the State message for 1973 did not meet these criteria. Further, I suggest that this was the speech of a man who is postponing the business of government until his term is complete. This was the speech of a man who has seen but a part of what he promised made reality; a man who would leave to his successor many of the problems which he himself inherited in 1967. Many of our problems seem insoluble. But until we are willing to face up to them, to reveal them in the forum of a State of the State message, they cannot be given the treatment, the thought, the discussion, the input of ideas that is demanded before progress is achieved. When the public is as fully apprised of those problems as is possible, we will be able to cope and move forward.

On the other hand, when the people are told that the state has met and solved its problems and yet they know that those same difficulties of day-to-day life continue, the mistrust of all that is government is perpetuated.



Reagan *(Continued from page 68)*

state would continue to operate detention facilities for hard-core juvenile criminals. But the noncriminal juvenile wards and first-time offenders not subejct to long-term confinement are better off isolated from the repeaters. Almost 30 percent of the adult males received by the correctional system in 1971 had previous commitment to the Youth Authority. We must break this cycle of crime through locally based juvenile-rehabilitation facilities that offer wayward youngsters a chance to regain a useful place in society. The program will be patterned after our successful experience in mental health. It will include state financing and technical assistance over a phase-out period to minimize the problems involved in this major reform.

With the rehabilitation of juvenile wards handled locally (financed by state aid) there will be no need for separate correctional systems. This will permit creation of a single Department of Correctional Services, with a single parole authority in the Health and Welfare Agency.

Center for Study of Violent Behavior — We know drug addiction and sometimes alcoholism are causes of violent crimes. To rid society of this cancer of violence, we must expand our knowledge of the entire range of human conduct. So we propose creation of a center for the study of violent behavior at the University of California at Los Angeles, to be operated jointly with the Health and Welfare Agency. This center, the first of its kind, will explore all types of violent behavior, what causes it, how it may be detected, prevented, controlled, and treated.

We seek new horizons of greatness . . .

There are times, I know, when each of us wonders if our society has the will and the capacity to solve all its problems. To those who become cynical, I would like to share a letter I received a few months ago. It was from the daughter of an 85-year-old Californian who was assisted by the state in her final illness. This lady told me her mother had worked hard and saved enough money for her burial. The letter said:

> I looked after her finances these many years and tried to keep her money intact without neglecting her needs. After . . . all the bills have been paid we find that we have this $901.66 left over. We feel it belongs to the agency that took care of her. . . . We hope you will be able to use this in some of the other needy places in this great state of ours.

The words of the poet are true:

There is a destiny that makes us brothers
None goes his way alone.
All that we send into the lives of others
Comes back into our own.

In all that we do here, we are building the kind of state, the better life we want for our children. We seek new horizons of greatneess for a great state and a great people. Working together, we can reach those horizons, and we have shown we can work together. There is no other way to serve our people wisely and well.

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California Journal/*NEWSBRIEFS*

State coastal commission organizes, picks Melvin Lane as chairman

The new state Coastal Zone Conservation Commission met in San Francisco January 24th to organize itself for the job of drawing up a coastal protection plan. To head the commission as chairman, the 12 members elected Melvin Lane, Executive Vice President of Lane Magazine and Book Co. of Menlo Park, publisher of *Sunset Magazine*. Lane resigned last year as Chairman of the San Francisco Bay Conservation and Development Commission (BCDC), on which the coastal commission is modeled. Ellen Stern Harris of Beverly Hills, who contributes a consumer column to the *Los Angeles Times* and was an early advocate of creating a coastline commission along the lines of the BCDC, was elected vice chairman. Not surprisingly, the commissioners offered the job of executive officer to BCDC executive officer Joseph Bodovitz.

The state commission and six regional coastal commissions were created last November with passage of Proposition 20. Under its provisions, the commissions are to control development of the state's shoreline through a system of permits still to be devised while drawing up the comprehensive development plan by 1976.

Six of the state commissioners were selected by the regional bodies (whose membership was published in the January 1973 *California Journal*, p. 18), and Governor Reagan, Assembly Speaker Moretti, and the Senate Rules Committee each appointed two. Besides chairman Lane and vice chairman Harris, the state commissioners are Robert H. Mendelsohn, San Francisco Supervisor; Philip W. Harry, Santa Cruz Supervisor; Dwight May, a Humboldt County rancher; Richard A. Wilson, a Mendocino County rancher and chairman of the Board of Directors of the Planning and Conservation League; Fred Farr of Carmel, a former state Senator; Roger T. Osenbaugh, owner of a Pasadena insurance firm and a member of the Sierra Club; Bernard J. Ridder., publisher of the *Long Beach Press Telegram;* Ira E. Laufer, Ventura communications executive; James Hayes, a former Assemblyman and now a Los Angeles County Supervisor; and Jeffrey Dean Frautschy, Assistant Director of the UC Scripps Institute of Oceanography at La Jolla.

U.S. court tells state to hold hearings before cutting welfare grants

California can no longer cut or end welfare benefits before giving recipients a hearing, the United States District Court ruled in San Francisco January 17th. Under state regulations, benefits are paid pending a hearing only in cases in which a state referee determines that questions of policy are raised, not when judgmental or factual matters are in dispute. The federal court ruled, however, that altering benefits without a hearing denies due process and is, therefore, unconstitutional.

The decision stems from a class action suit filed in 1971 by several disabled Bay Area residents. The court had earlier granted a temporary restraining order preventing any prehearing terminations for those who filed timely appeals. It modified this order last March, at the request of the state, which maintained that changes in the regulations would solve the problem. Subsequently, a hearing was held on September 28th to determine how well the new regulations were working, and the outcome was the granting of the preliminary injunction to prevent withholding assistance pending appeals. In its order, the court said that in some cases recipients were erroneously denied hearings before termination or reduction in aid because of mistakes, and in other instances from the "state's misuse of these regulations." It concluded that new regulations could not remedy the situation because of the "inherent difficulties" in determining what constitutes a policy question.

BART extends line into Contra Costa County

Bay Area Rapid Transit expanded its commuter service January 29th by extending its Fremont-Oakland line in southern Alameda County north under Berkeley, emerging above ground in Albany, entering Contra Costa County at El Cerrito, and terminating at Richmond. The 39-mile trip is scheduled to take 49 minutes, with fares ranging from 30 cents to $1.10. BART plans to open its eastern line from Oakland to Concord in May. Transbay service to San Francisco remains scheduled to begin in September, if a number of technical control problems can be solved in time.

Board votes to keep religious theory out of science textbooks

The State Board of Education finally decided last month to keep biblical theories of the divine origin of man out of science textbooks used in California's elementary schools. By a 6-3 vote January 13th, the board clarified a position it had taken in December that had muddled the question of how to deal with theories of origin. The champion of what came to be known as the divine creation theory, Dr. John Ford, a San Diego physician and religious fundamentalist, was absent as the vote was taken. For the first time in the controversy pitting the scientific theory of evolution against the religious account contained in Genesis, the board came out clearly opposing the insertion of divine creation in science texts.

Still to be resolved, however, is the extent to which any mention of evolution theory is to be qualified in the textbooks to indicate its hypothetical nature. A committee, whose membership includes Dr. Ford, has been examining textbook descriptions of evolution to see what editorial changes will be needed to meet the board's earlier-adopted guideline that unverifiable assertions must be properly qualified. Its report is expected in March.

Proposal to ration gasoline in Los Angeles is blamed on state

A proposal by William D. Ruckelshaus, administrator of the federal Environmental Protection Agency, that gasoline be rationed in the Los Angeles area by up

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to 82 percent of current useage during the six smoggy months from May to October generated the anticipated opposition from state and local officials. Downplayed in the resulting furor was the fact that Ruckelshaus himself believes that the proposal will never be enacted but may result in extending federal clean air deadlines which are scheduled to go into effect in 1976-77. Under the clean air law, Ruckelshaus was required to come up with a plan for meeting the standards by January 15th, and this was it.

While state officials from Governor Reagan to A. J. Haagen-Smit, chairman of the state Air Resources Board, criticized the proposal as impractical, if not impossible to implement without destroying the economy of southern California, the Coalition for Clean Air directed its criticism at the state. Noting the deadline Ruckelshaus was under, Ralph Perry III, the coalition's president, said that California "wasn't even in the ballpark" in devising a plan to meet the federal standards and that this forced the federal proposal.

Hearings on Ruckelshaus' proposal are expected to be held in the spring in the South Coast Basin, which stretches from Santa Barbara to San Clemente and inland to Riverside.

U.S. Supreme Court holds abortion to be a constitutional right

The United States Supreme Court last month struck down restrictive state abortion laws as unconstitutional. The decision came two months after the California Supreme Court had thrown out restrictive language in the state's Therapeutic Abortion Act as being excessively vague (see *California Journal*, December 1972, p. 374). For that reason, the federal ruling was not expected to have a great effect in California, though it will prevent legislative attempts to reenact strong restrictions on the availability of abortions. State Senator Anthony C. Beilenson, author of the Therapeutic Abortion Act, which was considered liberal when passed in 1967, saw a psychological effect in the high court ruling, however. "For the first time," he said, "women everywhere will know they have the right to an abortion without restrictions during the first three months."

Runoff due February 27th in first of series of 1973 special elections

The first of what promises to be a long list of special elections in 1973 was held on January 30th in the 22nd Senatorial District represented by Senator Tom Carrell until his death last October. Alan Robbins, a Democratic attorney, led a field of 14 candidates with 21,318 votes (31.4%), well short of the majority needed to win in the bipartisan primary, but sufficient to earn him the Democratic nomination for the February 27th runoff. Assemblyman Jim Keysor, who billed himself as the only Democrat who could win in a runoff with a Republican, received the second highest total vote of 16,981 (25.0%). The combined total for Robbins, Keysor, and two other Democrats was a substantial 62.3 percent of the vote in the 58 percent Democratic district.

The Republican nominee is Phillip Johnson, San Fernando City Councilman, who received 13,724 votes (20.2%) to 9,613 (14.1%) for former Assemblyman Hank Arklin. Including five other candidates, Republicans gained a total of 36.0 percent of the vote cast.

Despite the strong Democratic showing in the primary, the outcome of the runoff election between Johnson and Robbins could be decided by the ability of each party to heal the wounds of the bitterly fought primary. Moreover, two third-party candidates, Paula March of the Peace and Freedom Party and Andres R. Torres of the La Raza Unida party, both of whom qualified for the runoff despite receiving less than one percent of the vote, could attract enough otherwise Democratic votes to make the difference if the Robbins-Johnson race is close.

The stakes are high in this election. With the state Senate currently deadlocked at 19-19, a victory here and in the 38th District special election in March could give control to one party or the other. The 38th District race is for the vacancy created when Senator Clair Burgener was elected to Congress in November.

Special elections will also be needed this year to fill the 38th Assembly District vacancy caused by the death of Assemblyman Carley Porter and the 80th Assembly District vacancy which will result if Assemblyman John Stull is elected to the 38th Senate District seat, as appears likely. With at least two Assemblymen rumored for Washington appointments, other special elections are a possibility.

Tardy plan leaves workers unprotected by state safety code

Because California failed to submit an industrial safety plan "as effective as" federal law, many workers in the state may be unprotected against on-the-job hazards. Federal law has preempted the state law, according to the Assembly Select Committee on Industrial Safety. This means that while the 235 inspectors in the state Division of Industrial Safety continue to make their rounds of California factories, businesses, and construction sites, they no longer have a legal basis for doing so. On the other hand, federal law remains ineffective because no inspectors were hired to enforce it in California, which had opted to develop an adequate plan of its own.

When Congress created the Occupational Safety and Health Administration in 1970, it gave states wanting to retain jurisdiction until December 28, 1972 — two years later — to gain approval of safety requirements at least as stringent as federal requirements. California and 25 other states, according to the Assembly committee, failed to meet that deadline. Though the U.S. Department of Labor sought to extend the deadline until June 28th, organized labor challenged the department's right to do so. On December 29th, the U.S. District Court in Washington, D.C., ruled that the extension would be illegal since Congress had provided for no further delay. A hearing on that court order is scheduled for February 20th.

Meanwhile, Hawaii, one of the other 25 states, has reportedly contracted with the federal government to have its inspectors enforce safety requirements for the Occupational Safety and Health Administration, pending approval of the state's own plan.

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Selected State Government Reports

EDUCATION

Interinstitutional Cooperation in California Higher Education; prepared for the Joint Committee on the Master Plan for Higher Education by the Academy for Educational Development, Inc. January 1973. 73 p. Available from the Joint Committee, Assembly P.O. Box 83, State Capitol, Sacramento 95814.

Financing Postsecondary Education in California; prepared for the Joint Committee on the Master Plan for Higher Education by the Academy for Educational Development, Inc. January 1973. 123 p. Available from the Joint Committee, Assembly P.O. Box 83, State Capitol, Sacramento 95814.

Report on the Status and Progress of the Pilot Program for a Vocational Education and Manpower Management Information System; submitted jointly to the Legislature by the state Departments of Education and Human Resources Development and the California Community Colleges. Available from the Vocational Education Section, Department of Education, 721 Capitol Mall, Sacramento 95814. 10 p.

1971-72 Annual Report of the Commission for Teacher Preparation and Licensing; by the Commission for Teacher Preparation and Licensing, 1020 O Street, Sacramento 95814. 22 p.

Independent Higher Education in California; prepared by Fred A. Nelson for the Joint Committee on the Master Plan for Higher Education, California Legislature, Assembly Post Office Box 83, State Capitol, Sacramento 95814. January 1973. 204 p.

ENVIRONMENT

Formulation of Regional Growth Policy for the San Francisco Bay Region; by the Association of Bay Area Governments, Hotel Claremont, Berkeley 94705. November 1972. 11 p.

Automobiles and Air Pollution; by the California Air Resources Board, 1025 P Street, Sacramento 95814 (send requests to Public Information Office). January 1973. 16 p. Brief discussion of air pollution, offers suggestions for driving and maintenance techniques that will reduce air pollution.

Geothermal Resources Development in California; Imperial Valley Potential; prepared for the Joint Committee on Public Domain by the University of California at Riverside. November 1972 (issued January 1973). 23 p. Available from the Joint Committee on Public Domain, State Capitol, Sacramento 95814.

LEGISLATURE

Activity of the Committee on Efficiency and Cost Control, 1972 Session; prepared by the Assembly Committee on Efficiency and Cost Control, State Capitol, Sacramento 95814. January 1973. 22 p.

Final Legislative Summary, 1972 Session; compiled by the Senate Majority Caucus staff, State Capitol, Sacramento 95814. January 1973. 50 p.

A Survey of the Use of Electronic Data Processing by State Legislatures (A Revision); prepared by James S. Elkins Jr., Institute of Government/Institute of Community and Area Development, University of Georgia, Athens, Georgia. Published by the Council of State Governments, Iron Work Pike, Lexington, Kentucky 40505. ($5.00) July 1972. 145 p. The second update of a report first issued in 1970.

Final Summary of Significant Bills Passed During the 1972 Session; compiled by the Assembly Office of Research, Room 500, Library and Courts Building, Sacramento 95814. January 1973. 58 p.

WELFARE

Welfare Reform in California . . . Showing the Way; prepared by the Department of Social Welfare, 744 P Street, Sacramento 95814. December 1972. 201 p. A report summarizing welfare problems and state efforts to "reform" welfare, based upon the findings of a study sponsored by the federal Office of Management and Budget.

State Social Welfare Board Position Statement, Issue: Aliens in California; issued by the Department of Social Welfare, 744 P Street, Sacramento 95814. January 1973. 54 p.

MISCELLANEOUS

Review of Operations and Management of the California State Exposition and Fair; Supplemental Report; by the Assembly Committee on Efficiency and Cost Control, State Capitol, Sacramento 95814. January 1973. 33 p. Recommends that the management of Cal Expo be dismissed.

How State Funds Are Appropriated; prepared by the Council of State Governments, Iron Works Pike, Lexington, Kentucky 40505. ($2.50) November 1972. 49 p. Sponsored by the Research Committee of the National Association of State Budget Officers.

Motor Vehicle Insurance Reform; prepared by the Advisory Committee on Automobile Accident Claims of the Council of State Governments, Iron Works Pike, Lexington, Kentucky 40505. ($3.00) November 1972. 29 p. Includes a review of state no-fault insurance legislation.

The California Student Vote 1972; prepared for the University of California Student Lobby by Bruce Fuller, Mike Gilson, and Linda Bond. January 1973. 35 p. An analysis of the student vote in the November 1972 election. Available for $1.50 from UC Student Lobby, P.O. Box 24105, Los Angeles 90024.

All Are Created Equal (The States and the Equal Rights Amendment); by Susan Wollenberg Wanat, Council of State Governments, Iron Works Pike, Lexington, Kentucky 40505. ($3.00) December 1972. 33 p. A brief history of the Equal Rights Amendment and a discussion of the impact that its ratification would have for both women and men.

Summary of Findings and Conclusions on State, Regional and Local Roles and Responsibilities in Transportation; by the State Transportation Board and the Business and Transportation Agency, P.O. Box 1139, Sacramento 95805. January 1973. 9 p.

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PEOPLE IN THE NEWS

On January 9th, Governor Reagan nominated District Court of Appeal Justice **William P. Clark Jr.,** 41, to become Associate Justice of the state Supreme Court, replacing Justice Raymond Peters, who died January 2nd. The nomination, which was submitted to the Commission on Judicial Appointments for confirmation, created a stir when it was disclosed that Justice Clark, a former executive secretary to Governor Reagan, had not completed law school at Loyola University and that he had dropped out of Stanford University as an undergraduate because of poor grades. On January 22nd, Chief Justice Donald R. Wright, Chairman of the three-member Commission on Judicial Appointments, announced that he had requested the State Bar of California "to assemble relevent factual material pertaining to the qualifications" of Justice Clark, citing "a great number of inquiries and communications" directed to the commission concerning the nomination as the reason for the unprecedented procedure. A public meeting will be held by the Commission on Judicial Appointments on March 2nd to consider Clark's appointment to the Supreme Court.

John Burton, 40, a state Assemblyman from San Francisco, was elected chairman of the state Democratic Party by the state central committee at its biennial meeting on January 28th in Sacramento. Burton, who was co-chairman of Senator McGovern's presidential campaign in California, defeated Chico attorney John Merlo by a vote of 562 to 180. Also elected at the meeting were: **Mary Widener** of Berkeley, northern division chairman; outgoing state chairman **Charles Manatt,** souther division chairman; and **Shirley Goldinger** of Los Angeles, women's division chairman (see article on page 42).

At the Republican state central committee's meeting on February 2nd and 3rd, state vice chairman **Gordon Luce,** a former member of Governor Reagan's cabinet, was elected Republican state chairman. Luce, who ran unopposed, succeeds Putnam Livermore of San Francisco. **Paul R. Haerle,** a Mill Valley attorney, was elected vice chairman.

Former California Democratic Party chairman and national committeeman **Eugene L. Wyman,** 47, died last month of an apparent heart attack. Wyman, who headed a large law firm in Beverly Hills, was best known for his highly successful fundraising efforts on behalf of the Democratic party. He raised millions of dollars for the presidential campaigns of John F. Kennedy, Lyndon B. Johnson, and Hubert H. Humphrey, the gubernatorial campaign of Edmund G. Brown, and for many senatorial and congressional campaigns.

Alfred J. Elliott, 77, a former congressman representing Tulare, Kings, and Kern counties, died in January at a Tulare hospital. Known as the "Father of the Central California Project", Elliott served six consecutive two-year terms in the House of Representatives beginning in 1936.

The University of of California has honored **Josephine Miles** by naming her "University Professor" of the year. Miles, a poet and English professor at UC Berkeley, will soon publish her eighth volume of verse. She has also written three books on poetry and two textbooks.

Governor Reagan last month appointed **James W. Dent,** former Assemblyman from Contra Costa county, to a three-year term on the state Board of Education. Dent, a retired teacher and school superintendent who had served on the Assembly Education Committee, did not run for reelection to the Legislature last year. A Republican, he succeeds Robert D. Nesen, who resigned from the board.

J. Jamison Moore resigned his seat on the Commission on Navigation and Ocean Development last month, one and a half years after Governor Reagan had asked him to do so. Moore was a member of two environmental commissions when a report that he had accepted a $22,500 consulting fee from a land developer's lobbying organization caused the Governor to demand his resignation from both commissions. Moore left the Advisory Commission on Marine and Coastal Resources, where he served at the Governor's pleasure but refused to resign from his four-year term on the Commission on Navigation and Ocean Development, saying he had done nothing wrong in accepting the fee. Last month, however, Moore wrote the Governor that increased consulting business prevented him from devoting necessary time to his work on the navigation commission.

Governor Reagan has appointed **William D. Evers,** 45, to succeed Melvin B. Lane as chairman of the San Francisco Bay Conservation and Development Commission, subject to Senate confirmation. Evers, a San Francisco attorney, has served as vice chairman of the commission since he was named a member in 1967. A Republican, he is a member of the national Air Quality Advisory Board.

Donald F. Pinkerton, 40, and **Wardell A. Connerly,** 35, have resigned from their positions as director and chief deputy director of the state Department of Housing and Community Development. In his letter of resignation Pinkerton said, "I had taken the department as far as I could take it." Sources within the housing department say the resignations are related to a reorganization plan now underway in the administration which will redistribute most of the department's functions among other departments.

Frank J. Hortig, 61, executive officer of the State Lands Commission and the Lands Division since 1957, submitted his resignation last month. A registered professional petroleum engineer, Hortig will establish an engineering consultant service in southern California specializing in the development of energy resources.

Gladys L. Sanderson was appointed last month to the Youth Authority Board, succeeding the late Loann Eagan whose term expires on March 15, 1973. Also last month, Governor Reagan appointed **Kenneth E. Vetter,** 44, and **William L. Leonard,** 50, to four-year terms on the California Highway Commission.

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Democracy is the recurrent suspicion that more than half of the people are right more than half of the time.

-- E. B. White

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